

PERSONNEL POLICIES



City of Council Bluffs
Human Resources Department

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City Personnel Policy

INTRODUCTION

POLICY: 100

Council approval: 03/29/2010

Pages: 1

The City of Council Bluffs, Iowa has provided for and required the establishment of a Human Resources Department. In order to accomplish the intent of the City Council, there is presented herewith a body of policies and regulations which will govern the operation of the department. It is also the purpose of these policies and regulations to offer to the employees of the City a clear statement of policies. Nothing contained within these policies should be construed to imply the existence of an employment contract between any employee and the City. The City reserves the right to make changes, additions, or deletions to this manual as it deems necessary.

These policies shall apply to all Civil Service and Non-Civil Service positions except where provisions of federal, state or local law are in conflict, in which case the law shall supersede these policies. In the event these policies are in conflict with a collective bargaining agreement, the contract shall control.

City Personnel Policy

ORGANIZATION FOR PERSONNEL ADMINISTRATION

POLICY: 101

Council approval: 03/29/2010

Pages: 1

City Council

The City Council shall be the ultimate policy-making authority for the City of Council Bluffs in matters pertaining to personnel administration.

Mayor

The Mayor as chief executive officer of the City shall be responsible for the proper administration of the affairs of the City. The Mayor shall appoint and remove all heads of departments and all subordinate officers and employees in the departments in Non-Civil Service positions, subject to state or local law. In Civil Service positions, all appointments and removals shall be subject to Civil Service provisions.

Civil Service Commission

The Civil Service Commission is created under authority of Chapter 400 of the statutes of the State of Iowa and shall exercise jurisdiction over all regular full-time Civil Service employees. The Civil Service Commission's authority is prescribed under Chapter 400. The Commission shall operate pursuant to these policies except in those instances wherein the statutes prescribe policies or practices which are different from these policies, and in those instances the statutes shall supersede these policies.

Department of Human Resources

It shall be the responsibility of the Director of Human Resources to oversee the administration of the Personnel Policies contained herein.

City Personnel Policy

PERSONNEL POLICY APPLICABILITY

POLICY: 102

Council approval: 03/29/2010

Pages: 1

All employees of the City shall be divided into Civil Service and Non-Civil Service employment. Civil Service employment shall include all employees except those exempted by [Chapter 400.6 of the Code of Iowa](#). Exempt employees shall be treated as members of the Non-Civil Service. These policies and regulations shall apply to both Non-Civil Service and Civil Service employees. Members of appointive boards, commissions and committees shall be exempted from these policies.

Adoption of Policies

These policies and any amendments thereto shall become effective when adopted by resolution of the City Council. Upon adoption, the policies outlined herein shall supersede any and all personnel policies, rules, regulations, or procedures previously adopted by the City Council and in conflict herewith.

Departmental Policies, Regulations and Orders

The Mayor or Department Head may establish such policies and regulations and promulgate such orders as are deemed necessary for the efficient and orderly administration of the city or department and for maintaining the proper discipline, conduct, and behavior of departmental employees. Such policies must be consistent with these personnel policies if they address subjects covered herein; but, they may address subjects not covered herein. Such departmental policies, regulations and orders may provide for disciplinary action.

Forms

The Director of Human Resources may establish and update forms as needed to carry out the intent of these policies and provide for consistent documentation and approval as required by these policies. The most current of these forms may be found in Appendix "A" – "City of Council Bluffs Forms" included with this policy manual. All departments will receive notice of any form changes by interoffice mail. The updated forms will be available on the City's web site at councilbluffs-ia.gov (link to Human Resources Department page).

Availability of Policies

A copy of the City Personnel Policies shall be made available to each employee.

Exceptions

Exceptions to the City Personnel Policies may be made, in writing, upon a finding of good cause by the Mayor. A file on all exceptions will be maintained in the Human Resources Department.

City Personnel Policy

EQUAL EMPLOYMENT OPPORTUNITY

POLICY: 200

Council approval: 03/29/2010

Pages: 1

POLICY:

The City of Council Bluffs is committed to providing equal opportunity in employment to all employees and applicants for employment. No personnel decision or action shall be unlawfully influenced in any manner by consideration of an individual's race, color, creed, religion, national origin, ancestry, sex, age, disability, sexual orientation, or gender identity.

APPLICABILITY:

All employees and applicants for employment with the City.

PROCEDURE:

1. This policy applies to all terms, conditions, and privileges of employment including, but not limited to, hiring, placement, compensation, benefits, transfers, promotions, layoffs, returns from lay off, discipline, terminations, employee development and training, educational assistance, social and recreational programs, employee facilities, and retirement.
2. The Director of Human Resources is responsible for ensuring that employment practices and decisions are made without regard to race, sex, color, creed, religion, national origin, ancestry, age, disability, sexual orientation, or gender identity.
3. An effective equal employment opportunity program cannot be achieved without the support of supervisory personnel and employees at all levels. Any employee who feels he/she is the victim of discrimination has a responsibility to report this fact to the Director of Human Resources or City Attorney.
4. Any communication from an applicant for employment, an employee, a government agency, or an attorney concerning any equal employment opportunity matter is to be referred to the Director of Human Resources or City Attorney.

City Personnel Policy

RECRUITMENT AND SELECTION

POLICY: 201

Council approval: 03/29/2010

Pages: 3

POLICY:

It is the policy of the City to conduct recruitment and selection in a way that ensures qualified employees are hired within an orderly system which incorporates general merit principals with equal employment opportunities. Whenever applicable, all hiring practices will conform to the Iowa Civil Service laws. All employees shall be appointed by the Mayor after determination of fitness and ability.

APPLICABILITY:

All regular full-time and regular part-time employees.

PROCEDURE:

1. **Vacancy.** A vacancy refers to an unfilled position that is authorized in the City's budget and, where applicable, has been approved by City Council. It shall be the responsibility of the department having the vacant position to submit a request to begin the selection process to fill the vacancy on a City Form (see Appendix "A" – F201-1, "Employee Requisition Form") to the Human Resources Department requesting to begin the process to fill the position.
2. **Civil Service Positions.** [Chapter 400 of the Code of Iowa](#) states that vacancies in Civil Service promotional grades shall be filled by lateral transfer, voluntary demotion, or promotion of qualified City employees. In accordance with the intent of this provision, the Director of Human Resources shall designate each Civil Service job classification as promotional or open. A Civil Service promotional class is one which provides a logical avenue of progression from one or more Civil Service job classes having a lower maximum rate of pay. A promotional relationship shall be deemed to exist where an employees' service in at least one lower level class can reasonably be expected to result in the acquisition of the knowledge, skills, and abilities necessary to meet the minimum educational and experience requirements for the promotional job class.
 - A. In determining whether a job class is promotional or open, consideration will be given to the number of subordinate positions meeting the criteria for a promotional relationship with the higher class in question, and to the number of employees likely to be qualified for promotion in the event of a vacancy in the higher class. The intent of the provision is to ensure that promotional examinations are reasonably competitive and likely to result in the promotion of qualified candidates.

- B. The list of classes designated as Civil Service promotional shall be reviewed periodically by the Director of Human Resources. When necessary, the Director of Human Resources shall recommend to the Civil Service Commission a permanent or temporary change in the status of a position based on the aforementioned criteria prior to posting the notice of examination.
 - C. City employees are encouraged to compete for open positions for which they may qualify. Civil Service employees, regardless of the current salary level, who have completed their initial probationary periods, are eligible to apply for Civil Service promotional positions under guidelines adopted by Civil Service.
- 3. **Non-Civil Service Positions.** Regular positions exempt from Civil Service will be filled on the basis of merit. When a non-Civil Service vacancy occurs, the Director of Human Resources shall determine whether the needs of the city will best be served by open recruitment or promotion. City employees are encouraged to compete for non-Civil Service positions for which they may qualify.
 - 4. **Lay-off lists.** Before announcing a job opening, the Human Resources Department will ensure that a lay-off list does not exist for the job classification that has been requisitioned. No new employee shall be hired by the City in any job classification where a lay-off list exists until after all individuals on the list have declined the position.
 - 5. **Announcement.** The application period for all positions shall be determined by the Director of Human Resources. The Human Resources Department will issue an application announcement in accordance with all existing policies and procedures. The application announcement shall be posted for all to see and shall contain information relative to the job including: title; pay range; general description of the duties and requirements; time, place and manner of making application; and the opening and closing dates of application. If applicants from outside City employment are to be considered for job openings, the Human Resources Department will be responsible for recruiting the candidates and shall utilize the recruitment methods and sources it deems appropriate to fill the openings.
 - 6. **Application.** All candidates for employment shall complete and sign an employment application as prescribed by the Human Resources Department. Applications may be filed at any time during the application period. Late applications may be accepted if the Mayor determines that to do so would be in the best interest of the City. The Mayor may decline to accept or act upon any application for any reason relating to the applicant's fitness to fill the position being sought. These reasons include but are not limited to:
 - A. Applications for sworn Police and Fire positions shall not be accepted for persons under the age of eighteen or over the age of sixty-five.
 - B. The applicant lacks the minimum qualifications for the job.
 - C. The applicant is addicted to the use of alcohol or drugs.
 - D. The applicant has been found guilty of a crime that would render the applicant unfit for the job for which the applicant is applying.

- E. The applicant has been dismissed for disciplinary reasons from employment for a cause that renders the applicant unfit for the job for which the applicant is applying.
 - F. The applicant has made a false statement of material fact on the application for employment.
 - G. The applicant is deemed unfit to perform the duties of the job for which application is made. Fitness in this case is determined by reports from references or character investigations.
 - H. The applicant, if required by the job class, does not have or cannot secure the proper valid driver's license.
7. **Selection.** The selection process shall be established by the Human Resources Department; and, in the case of a civil service position, approved by the Civil Service Commission. The selection process may consist of any combination of written exams, oral exams, performance exams, education and experience evaluations, and any other appropriate measure of fitness.
8. **Removal of Names from Consideration for Employment.** The name of an applicant may, at anytime during the hiring process, be removed from employment consideration for any good cause, including but not limited to the following reasons:
- A. The applicant has been appointed to a permanent position.
 - B. The applicant has declined appointment to a regular position two times or one time if the applicant is the only one under consideration.
 - C. The applicant has requested removal from consideration.
 - D. Evidence has been produced that the applicant should not have been allowed to participate in any portion of the selection process.
 - E. The applicant has separated from City employment.
 - F. The applicant cannot be reached.

City Personnel Policy

HIRING

POLICY: 202

Council approval: 03/29/2010

Pages: 3

POLICY:

It is the policy of the City that the hiring of employees is to be done in accordance with applicable law and in a manner that should provide the employee with a clear understanding of the conditions of employment, the wages and benefits offered, and the employee's duties and responsibilities.

APPLICABILITY:

All employees.

PROCEDURE:

1. **Employment Offer.** Before any oral or written employment offer is presented to any applicant for regular full-time or regular part-time employment, the Department Head shall obtain the pre-approval of the Director of Human Resources using the designated form (see Appendix "A", F202-1, "Request to Offer Employment"). The Human Resources Department will advise the Department Head whether or not to proceed with the offer of employment and whether or not any of the proposed employment conditions should be modified.

After receipt of the approval of the Human Resources Department, the Department Head may proceed with the employment offer. Any verbal offer should immediately be followed with a written reiteration of the offer to the applicant with a copy to the Human Resources Department. It is extremely important that any conditional offers specify clearly the conditions that must be met before the employment offer becomes valid.

2. **Conditional Offer Medical Examination.** A successful applicant for employment may be required, as a condition of employment, to pass a medical examination to establish their fitness to perform the job for which they have applied; and, their fitness to do so without endangering the health and safety of themselves or others. If the City determines that an exam is appropriate to a particular position, all applicants for the job to whom a conditional offer of employment has been made are to be examined. Conditional offer medical exams will be treated as confidential and kept in separate medical files.

3. **Public Safety Training and Equipment Expenses.** Because of the extraordinary expense incurred by the City to train and equip Police and Fire personnel, all newly hired sworn personnel from these departments must sign a reimbursement agreement as a condition of hire. Said agreement will stipulate that the employee will reimburse the City for training costs, as well as the cost of specialized personal equipment, should the employee voluntarily leave the City before completing five years' employment (see Appendix "A" – F202-2, "Agreement for Reimbursement of Training Expenses and Cost of Specialized Personal Equipment"). A list of said equipment as well as all training costs will be maintained by the respective department. Repayment will be in accordance with the following schedule:

Within one year from date of hire	100%
Greater than one but less than two years from date of hire	80%
Greater than two but less than three years from date of hire	60%
Greater than three but less than four years from date of hire	40%
Greater than four but less than five years from date of hire	20%
After five years	0%

4. **Conditional Offer Background Investigations/Reference Checks.** The City may investigate the background of candidates for employment including candidates for initial hire, rehire, internal transfers, and promotion. The type of information sought in a background investigation should be job related and consistent with business necessity. All employment offers are contingent upon the City performing all necessary background and reference checks.
- A. The City may hire a third party to conduct a background check or obtain reports from outside agencies. The cost of hiring a third party to assist in the background investigation process will be paid by the hiring department.
 - B. Background investigations will only be conducted with written consent of the applicant.
 - C. Information obtained in the background check is confidential information and must be maintained in records as such.
 - D. An applicant who refuses to authorize the required background and/or reference check will be considered to have withdrawn his or her application from consideration.
 - E. An applicant who provides false, incomplete, or misleading information on a background questionnaire, application, resume or in an interview will be immediately eliminated from further consideration for employment. If discovery is made after the applicant is hired, disciplinary action up to and including termination will be taken.
 - F. Before making a negative employment decision based on a applicant's criminal conviction record the City will consider the length of time since a conviction, the nature of the crime; the relationship between the job to be performed and the crime committed; the number of convictions, rehabilitation efforts; and subsequent employment history.

- G. Background and reference checks may include but are not limited to the following:
- 1) Verification of Employment Eligibility;
 - 2) Past and current employment and education;
 - 3) References from past employers;
 - 4) Criminal Records;
 - 5) Driving Record;
 - 6) Background Investigations;
 - 7) Credit History;
 - 8) Record request from past Employer's of Prospective candidates for positions requiring Commercial Driver's Licenses;
 - 9) Polygraph exams to the extent allowed by law;
 - 10) Personal History Questionnaires.

5. **Rates of Pay.** ([See also Pay Administration](#))

Original Appointment. Persons receiving original appointments to regular full-time or regular part-time positions shall be paid at the minimum rate (first step) of the pay grade assigned to the class of work unless the Mayor, at the recommendation of the Department Head, shall determine that a rate above the minimum is necessary in order to hire the most qualified candidate.

Re-employment. At the discretion of the Mayor, persons re-employed within one year of termination may be paid at any step within the range of the pay grade not to exceed the step attained at the time of separation.

6. **Hiring Procedure.** No employee shall be hired or allowed to begin work without prior approval of the Mayor. This approval shall be obtained by the Department Head by submitting the Personnel Action Form ([see](#) Appendix "A" – F202-3) to the Human Resources Department a minimum of four (4) working days before the employee's proposed start date. It is the Department Head's responsibility to ensure that the Personnel Action Form is approved before the employee begins work.

Regular full-time employees will complete the required forms during the New Employee Orientation, scheduled by the Department Head with the Human Resources Department. The Department Head must also arrange for part-time and temporary employees to complete required forms prior to beginning work.

All employees hired by the City must produce proper identification as required by federal and state law. An employee who is unable to provide the required identification forms within 72 hours of the employment date shall be suspended from work until acceptable identification can be provided. During the first week of employment of a regular full-time or regular part-time employee, the Department Head shall be responsible for providing the new employee with an orientation to the department and duties using a form provided by the Human Resources Department ([see](#) Appendix "A", F202-4, "Supervisor's Orientation Checklist"). Following the department orientation, a copy of the completed form, signed by the new employee and the supervisor, shall be submitted to the Human Resources Department to be included in the employee's personnel file.

City Personnel Policy

HIRING OF AND EMPLOYMENT OF RELATIVES

POLICY: 203

Pages: 3

Council approval: 12/02/2013 (Rev)

POLICY:

It shall be the policy of the City of Council Bluffs that applicants who are relatives of full-time regular or part-time regular employees shall not be hired in any capacity or transferred, promoted, or voluntarily demoted to any position when such employment would place an employee in a position where direct supervisory control would be exercised over or received from a relative.

APPLICABILITY:

All regular full-time and regular part-time employees.

PROCEDURE:

1. It is recognized that there are currently employees who would find themselves in a position contrary to this policy (originally adopted 7/29/1992). For purposes of implementation and enforcement of this policy, as of the date of adoption of this policy, all such employees shall be allowed to remain in the City's employ without prejudice, but subject to such restrictions in assignment, transfer, promotion or demotion as is deemed necessary and proper by the appropriate Department Head or the Mayor.
2. This policy shall not apply when reductions in force result in employee transfers to other departments in order to preserve seniority rights pursuant to [Chapter 400, Code of Iowa](#), or negotiated collective bargaining agreements.
3. As to applicants for civil service positions, the Human Resources Department shall cooperate with the Civil Service Commission in screening out at the earliest possible stage applicants whose hire would be prohibited by this policy. Depending upon the circumstances presented, the Civil Service Commission shall either refuse to accept applications from, refuse to test, or remove from any list an applicant who is ineligible for appointment by reason of this policy. In situations where violations of this policy can be eliminated by transfer or assignment of current employees, such employees or applicants will not be disqualified from eligibility lists. However, the Department Head may elect not to select an applicant or employee for a particular vacancy if such a transfer or assignment cannot be made.

4. As to applicants for non-civil service positions, the Human Resources Department will cooperate with individual Department Heads and the Mayor in screening out applicants whose hire would be prohibited by this policy.
5. Provisions 3 and 4 above notwithstanding, if the promotion of an internal candidate for a Department Head level position would be in conflict with this policy, the employee shall be allowed to participate in the selection process, if otherwise qualified for the position. This will allow the Mayor to determine if making an exception to this policy is in the best interest of the City. (See Personnel Policy Applicability, Policy 102-1, Exceptions.)
6. As to applicants for both civil service and non-civil service positions, the Mayor, as appointing authority, may refuse to appoint any applicant whose hire would be prohibited by this rule, regardless whether the fact of the existence of a prohibited relationship was known or should have been discovered in the screening of applicants.

7. Definitions

- A. For purposes of this policy, “relative” shall mean and include: the spouse of the applicant; persons related to the applicant to within the third degree (inclusive) by consanguinity; persons related to the applicant to within the third degree (inclusive) by affinity, and their spouses; and those persons hereafter enumerated who are step-relatives of the applicant, and their spouses. Those in the following relationships to the applicant shall be deemed to be “relatives” of the applicant for purposes of this policy:
 - Spouse;
 - Parents and stepparents, children and stepchildren, and the spouses of such persons;
 - Brothers, stepbrothers, and half-brothers, sisters, stepsisters, and half-sisters, and spouses of such persons;
 - Grandparents and step-grandparents, grandchildren and step-grandchildren, and the spouses of such persons;
 - Aunts and uncles, nieces and nephews, great-grandparents, great-grandchildren, and the spouses of such persons;
 - And persons in the same relationship to applicant’s spouse as included in the above relationships.
- B. “Marriage” shall mean and be deemed to include the establishment of a conjugal relationship and common household, whether with or without the benefit of legal matrimony, and persons in such a relationship shall be deemed to be “spouses”.

- C. Positions shall be deemed to exercise “direct supervisory control” if the position has the primary responsibility for day to day supervision of the employee or if the position is in the direct chain of command with respect to recommending and approving disciplinary action, up through and including the Mayor.
 - D. The Civil Service Commission shall be required to enforce the provisions of this policy.
8. **Purpose.** This policy is adopted for the purpose of maintaining a flexible and responsive work force by reducing the possibility of divided loyalties which could adversely affect the proper administration of the City’s affairs; and to avoid the erosion of confidence resulting from favoritism and/or the appearance of favoritism in the hiring or treatment of employees.

City Personnel Policy

EMPLOYMENT STATUS

POLICY: 204

Council approval: 03/29/2010

Pages: 1

POLICY:

It is the policy of the City to assign an employment status to all City positions. Employment status shall be determined by the number of hours to be worked and the duration of the work assignment.

APPLICABILITY:

All employees.

PROCEDURE:

1. Upon hire, employees will be assigned one of the following employment status designations:
 - A. Regular Full-time – an employee engaged in full-time work; who has a normal work schedule of at least forty (40) hours; and the duration of the work assignment is continuous in nature with no time limitations. Regular full-time employees shall be eligible for full benefits as authorized by the City Council subject to any restrictions for a particular benefit.
 - B. Regular Part-time – an employee engaged in part-time work; who has a normal work schedule of less than forty (40) hours; and the duration of the assignment is of a continuing nature with no time limitations. Regular part-time employees shall be eligible for those benefits as expressly specified in the Personnel Policies. Benefits for regular part-time employees shall be given based on a pro ratio of the number of scheduled work hours of the employee to full-time.
 - C. Temporary – an employee who is hired into a position where the duration of the position shall not exceed twelve (12) consecutive calendar months. Temporary employees shall not be eligible for any benefits. Temporary employees are employed at the will of the City and are subject to termination at any time, for any reason, with or without notice, and with or without cause.
2. The employment status of all new employees shall be indicated on the Personnel Action form at the time of hire.
3. Any regular change in the hours worked or duration of a position that would affect the employee's eligibility for benefits must be approved on a Personnel Action Form before the effective date of change.

City Personnel Policy

CLASSIFICATION

POLICY: 205

Council approval: 03/29/2010

Pages: 3

POLICY:

It is the policy of the City to maintain a classification plan comprised of a schematic list of classes supported by written specifications setting forth the duties and responsibilities of each class and the qualifications necessary for appointment to a position of that class.

APPLICABILITY:

All regular full-time employees.

PROCEDURE:

1. Definitions.

- A. Class of Work. A class shall comprise one or more positions that are so nearly alike in the essential character of their duties and responsibilities that the same pay scale, title and qualification requirements can be applied and they can fairly and equitably be treated alike under like conditions for all other personnel purposes. The same qualification requirements shall be applied to all positions in a class regardless of the department in which the position is located.
- B. Title of a Class of Work. The title of a class shall be the official title of every position allocated to that class for personnel purposes.
- C. Class Specification (Job Description). The class specification shall state the characteristic duties, responsibilities, and qualification requirements which distinguish a given class from other classes. The specification shall be descriptive but not restrictive; that is, the class specification shall describe the more typical types of work which may be allocated to a given class but shall not be construed to restrict the assignment of other duties related to the class.

2. Objectives. The Classification plan shall be used:

- A. To provide like pay for like work.
- B. To establish qualification standards for recruiting and testing purposes.

- C. To provide management with a means of analyzing work distribution, areas of responsibility, lines of authority, and other relationships between positions.
 - D. To assist management in determining budget requirements.
 - E. To provide a basis for developing standards of work performance.
 - F. To establish lines of promotion.
 - G. To indicate training needs.
 - H. To provide uniform titles for positions.
3. **Position Allocated to Classes** – Policies and Procedure. The position of every regular full-time employee shall be allocated to a class in the classification plan. Such allocation shall be made on the basis of the duties of the position and in accordance with the personnel policies.
- A. When a position is created, the Department Head shall send to the Director of Human Resources a request for classification of the position with a description of the duties and responsibilities. The Director of Human Resources shall allocate the position to the proper class after analysis and evaluation of duties and responsibilities without regard to personal characteristics, abilities, or qualifications of the incumbent, department for which the work is done, or budgetary availability of money.
 - B. If there is no class to which a new position can properly be allocated, the Mayor is authorized to create a class to which the position may be allocated and to designate the pay grade applicable to such class.
 - C. When the assignment of an employee has changed substantially as to kind and/or level of work, the Department Head shall be responsible for the preparation of a position description and the initiation of a classification action. The Mayor shall determine whether the position has changed sufficiently to justify reallocation.
 - D. The Mayor may, at anytime, review a position which he/she has reason to believe is not properly classified and may allocate the position to the proper class. Reallocation of a civil service classification shall be according to Civil Service laws and policies.
 - E. The creation of new positions and the assignment of duties (whether temporary or permanent, incidental or essential, and including changes in location of work, equipment, and tools used, etc.) shall be entirely the responsibility of the Mayor and/or Department Head and the classification plan shall in no way operate or be construed to operate to interfere with the responsibility for establishing positions.
 - F. If the Department Head or the employee who is affected disagrees with a classification decision, either may submit a written memorandum to the Mayor requesting review of the decision.

4. **Position Reclassification to a New Pay Grade.** Position reclassification to a new pay grade shall affect the employee only when reclassification is:
- A. To a class of higher pay grade: when a position is reallocated to a class of higher pay grade, the salary of the employee shall be set as follows:
 - (1) If the employee's salary in their current grade is less than the beginning rate of the higher grade, their salary shall be set at the beginning rate of the higher grade.
 - (2) If the employee's salary in their current grade falls within the range of the higher grade, their salary shall be set at the step that is commensurate with their current rate of pay.
 - B. To a class of the same pay grade: when a position is re-allocated to another class of the same pay grade, the salary of the incumbent shall remain unchanged.
 - C. To a class of a lower pay grade: when a position is re-allocated to a class of the lower pay grade, the salary of the incumbent shall be set as follows:
 - (1) If the employee's salary in the lower grade is above the maximum rate of the lower grade, the pay shall be set at the maximum rate of the lower grade.
 - (2) If the employee's salary in the higher grade falls within the range of the lower grade, it shall remain unchanged.

A reclassification of a position to a lower class assigned to a lower pay grade shall not delay or defer the employee's normal eligibility for a pay increase.

City Personnel Policy

HOURS OF WORK

POLICY: 206

Council approval: 03/29/2010

Pages: 2

POLICY:

It is the policy of the City to establish the time and duration of the working hours as required by work load, service needs, and the efficient management of human resources.

APPLICABILITY:

All employees unless otherwise provided by union contract.

PROCEDURE:

1. **Standard Work Week.** Unless otherwise provided by labor contract, the standard work week shall consist of a forty hour work period beginning with an employee's first scheduled work period on Saturday and ending with the employee's last scheduled work period on Friday. Hours worked on any shift that begins prior to 12:01 a.m. Saturday shall be considered, for payroll purposes, to be part of the prior Friday work day.
2. **Work Schedule.** The regular work schedule is normally defined as being five consecutive work days, usually Monday through Friday, consisting of eight work hours within a pre-established schedule, usually 8:00 a.m. – noon and 1:00 p.m. – 5:00 p.m. with one hour for lunch. However, it is recognized that it may be necessary to establish work schedules other than as (defined above in those departments engaged in continuous operations (defined as an activity or department where there is regularly scheduled employment for seven days a week and twenty-four hours a day) or in those departments with special operating needs. Work schedules and hours to be worked by employees will be determined by the Department Head. To achieve maximum efficiency, Department Heads should communicate with and attempt to schedule the work load of their subordinates in a timely manner.

If work schedules are changed, the affected employees shall be notified as far in advance of the change as possible. An employee who is excused from work for the day, or any part of the day, when the work program is interrupted, (i.e. because of weather) shall be considered to have worked the number of hours included in their regular daily schedule. A part-time employee who is called to work and not assigned because of an interruption or change in the work program shall be considered to have worked two hours on that day.

3. **Meal Breaks.** Full-time employees are allowed an unpaid meal break of either 30 or 60 minutes duration near the middle of the work day. Part-time employees scheduled to work more than five consecutive hours during any work day will receive a meal break of the same duration as full-time employees in their department.

Employees may not extend meal breaks beyond their assigned period, will not be compensated for time lost because of tardiness, and will be subject to discipline if tardy.

Supervisors and Department Heads are responsible for balancing work loads and scheduling meal breaks. Whenever necessary, the duration and time of meal periods may be changed.

4. **Rest Breaks.** Whenever practical, employees are to receive a rest break of fifteen minutes at approximately the middle of every four hours of work not broken by a meal period.

The time for employee rest breaks will be scheduled by each supervisor with appropriate regard for the work load. Time spent on rest breaks will be compensated as working time. Employees are expected to return to their work stations promptly at the end of each break and will be subject to disciplinary action for tardiness. Employees who choose to remain at work during rest breaks or are unable to take a work break because of work demands are not entitled to leave before the normal quitting time and will not receive extra pay for the time worked. Rest breaks cannot be accumulated or carried over for use at another time.

City Personnel Policy

PROBATIONARY PERIOD

POLICY: 207

Council approval: 03/29/2010

Pages: 2

POLICY:

It is the policy of the City that all new employees and all current employees transferred or promoted are to be placed on probation for a minimum of six consecutive months from the date of hire, promotion or transfer. Successful completion of the probationary period following original appointment shall result in regular status for the employee.

PURPOSE:

The probationary period shall be an integral part of the selection process and shall be utilized by the Department Head as an opportunity to observe the newly appointed employee's performance, to train and aid the new employee in adjustment to his position, and to reject any employee whose work performance fails to meet required work standards.

APPLICABILITY:

All regular full-time and regular part-time employees.

PROCEDURE: ([See also 400.8 Code of Iowa](#))

1. Appointments to all regular positions shall be conditional upon a probationary period. The probationary period for Firefighters shall be 12 months. Police Officers shall be subject to a nine month probationary period following successful completion of training required by the [Iowa Law Enforcement Academy \(ILEA\)](#). For all other employees the probationary period shall be six months.
2. Supervisors are to carefully observe each probationary employee's job performance. Where appropriate, weaknesses in performance, conduct, or attitude are to be brought to the employee's attention for correction.
3. Supervisors are to prepare a written evaluation of the employee's job performance no later than two weeks prior to the end of the original probationary period. The evaluation is to include a recommendation as to granting the employee regular status. Copies of the evaluation are to be forwarded to the Department Head and the Human Resources Department for inclusion in the employee's personnel file.
4. Employees will be granted regular status if they satisfactorily complete the original probationary period and are recommended for such status by their Department Heads. Continuance in the position after the expiration of such probationary period shall constitute a permanent appointment. The Mayor may approve the extension

of the probationary period up to an additional six months for all non-civil service employees if such action is considered to be in the best interests of the City.

5. During the initial probationary period, Department Heads may recommend that a probationary employee be terminated before the end of the probationary period. Any recommendation for termination should be submitted in writing to the Human Resources Department for review and should include the reasons for termination and a listing of any actions taken to assist the employee. Action to terminate the employee must have the prior approval of the Human Resources Department.
6. An employee discharged during the original probationary period shall be given notice in writing of the reason or reasons for the dismissal. For Civil Service employees a copy of such notice shall be filed with the Civil Service Commission. No appeal rights are available to employees terminated during the probationary period.
7. If the employee's probation is the result of a promotion or transfer, the probationary period shall be used to determine the employee's ability to satisfactorily perform in the position. If the employee's performance is unsatisfactory, the employee shall be demoted or transferred to a position in the class in which the employee held regular status prior to the promotion or transfer. This action will be taken even if a lay-off is necessary in that class.

City Personnel Policy

PROMOTION

POLICY: 208

Council approval: 03/29/2010

Pages: 2

POLICY:

It is the policy of the City to offer employees promotions to higher level positions when deemed appropriate. To fill vacancies above the entry level, the City prefers to promote from within and will first consider current employees with the necessary qualifications and skills, unless outside recruitment is deemed to be in the City's best interest. All promotions to positions with Civil Service status shall be done in accordance with applicable civil service laws.

APPLICABILITY:

All regular full-time and regular part-time employees.

PROCEDURE:

1. All employees are encouraged to seek advancement opportunities and to obtain promotion and career guidance from their supervisor, Department Head, and/or the Human Resources Department.
2. An employee's basic eligibility for promotion will be determined by the requirements of the new job. Generally, the employee must have attained regular status prior to making an application for promotion. However, for positions being filled by a procedure that allows applications from the general public, the probationary employee may apply; and, if hired, the employee will serve an initial probationary period.
3. Job openings and promotions for which the City seeks candidates from within the City will be posted on the employee bulletin boards. From time to time, however, the City will, as it deems appropriate, fill job openings or make promotions without posting notices. When job openings or promotional opportunities occur:
 - A. Interested employees must complete an employment application for the position. This can be done in the Human Resources Department.
 - B. The Human Resources Department may, at its discretion, solicit outside candidates during or after the posting period.
4. Current employees applying for entry level positions and promotions, as well as applicants recruited from outside for employment, will be considered and processed as outlined in the recruitment and selection policy.

5. Promoted employees will be placed on probationary status for a period of at least six months. During this period, the provisions of the probation policy will apply.
6. When an employee is promoted to a position having a higher pay grade, the employee's rate of pay shall be determined as follows:
 - A. If the salary received in the lower grade is below the minimum rate of the pay grade for the class to which promoted, the rate of pay shall be increased to at least that minimum.
 - B. If the salary received in the lower grade falls within the range and above the minimum of the pay grade for the class to which promoted, pay shall be set at a rate which is a minimum of one step above the previous salary.
7. If the employee has been promoted to a position having a higher pay grade, or has been granted an unscheduled merit increase, the date of eligibility for the first succeeding step increase will be the date that the next step increase was due or upon completion of the service requirement for the new step, whichever is earlier.

City Personnel Policy

DEMOTION

POLICY: 209

Council approval: 03/29/2010

Pages: 1

POLICY:

It is the policy of the City to initiate or approve a demotion of an employee when it is determined to be in the best interest of the City or required under labor contract.

APPLICABILITY:

All regular full-time and regular part-time employees.

PROCEDURE:

1. **Definition – Demotion.** A demotion is defined as a reassignment of an employee from a position of one class to a position of another class with a lower maximum salary.
2. Demotion may be made in the following situations:
 - A. In lieu of lay-off when a position is to be abolished or an employee with prior rights returns to the position.
 - B. In lieu of dismissal when an employee is not performing satisfactorily or when a health examination conducted by the examining physician discloses that the employee is not physically qualified to perform the duties of the position.
 - C. When an employee fails to perform satisfactorily during the probationary period following promotion.
 - D. When an employee requests reassignment (voluntary demotion) to work of less difficulty and responsibility and the City approves this change.
 - E. For misconduct, neglect of duty, disobedience or other disciplinary reasons. ([See Chapter 400.18, Code of Iowa.](#))
3. When an employee is demoted, the rate of pay shall be the rate at that step which the employee would have held had the last promotion not taken place.
4. Voluntary demotion will be allowed only when a vacancy exists except as provided in [207:2, Probationary Period](#). However, no employee will be demoted to a position when the employee does not currently meet the qualifications and eligibility requirements of the job, even if the employee had met the job qualifications previously.

City Personnel Policy

TRANSFER

POLICY: 210

Council approval: 03/29/2010

Pages: 2

POLICY:

It is the policy of the City to initiate or approve a transfer of an employee when it is determined to be in the best interest of the City or required under labor contract.

APPLICABILITY:

All regular full-time and regular part-time employees.

DEFINITION:

The term "transfer" as used in this policy means the reassignment of an employee from one position to another within the same job classification with a different immediate supervisor.

PROCEDURE:

1. The Mayor may at any time transfer an employee under his/her jurisdiction from one position to another in the same class, without the consent of the employee.
2. A transfer shall not delay or defer the employee's eligibility for a pay increase.
3. A transfer may be made for a variety of reasons including but not limited to the following:
 - A. To correct a temporary workload imbalance.
 - B. To provide new or broader experience for the employee.
 - C. When there is a need to better utilize an employee's particular skills and knowledge.
 - D. As a reasonable accommodation for a disabled employee under the requirements of the American's With Disabilities Act (ADA).
 - E. To address personnel problems such as friction between co-workers.
 - F. To continue the employment of an employee affected by a reduction in force.
 - G. To meet applicable provisions of a labor contract.

4. When a vacancy is posted an employee may request a voluntary transfer by following the directions provided on the job posting.
5. A transfer of an employee between two different departments requires approval of both Department Heads.
6. A transfer will not be made unless the employee has the requisite skills and abilities required in the new position.

City Personnel Policy

OFF-DUTY EMPLOYMENT

POLICY: 211

Council approval: 03/29/2010

Pages: 2

POLICY:

It is the policy of the City that employees may be employed or self-employed at secondary jobs during the time they are not on duty or employed by the City. Such off duty employment shall in no way impair the employee's ability to perform their job responsibilities for the City or create a conflict of interest or the appearance of a conflict of interest for the employee while performing their duty for the City. Performance of duty for the City shall be each employee's primary obligation, and shall be subordinate to no other employment. The Mayor and Department Heads may adopt reasonable policies to implement this policy so long as such policies do not conflict with this policy.

APPLICABILITY:

All employees.

PROCEDURE:

1. Employees are cautioned to consider carefully the demands that additional work activity will create before engaging in any off-duty employment. Off-duty employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity does cause or contribute to job related problems, such employment must be discontinued; and, if necessary, normal disciplinary procedures will be followed to deal with specific problems.
2. An employee engaged in off-duty employment shall not wear any clothing items that would identify the employee as a City employee. The use of City owned equipment by a City employee while working at off-duty employment is also forbidden.

Police Officers shall be allowed to wear their uniforms while working off-duty employment only when such arrangement is considered by the Police Chief to be in the best interest of the City. Any such permission given by the Chief must be in writing and in accordance with procedures incorporated into the Police Department's Standard Operating Procedures. Such procedures will provide that the officer and the prospective employer must agree in writing to hold harmless and indemnify the City and Police Chief for any and all claims against the City or the Police Chief resulting from such employee's off-duty employment. No Police Officer working an off-duty uniformed position shall be paid in cash without allowance for proper deductions from pay as required by law.

3. Employees should understand that insurance coverage afforded to them as a City employee may not be valid while engaging in off-duty employment. Examples of such coverage are health insurance, dental insurance and worker's compensation. All employees should review their insurance coverage before engaging in off-duty employment.
4. Employees shall not engage in off-duty employment while on City leave for sickness or injury.

City Personnel Policy

TERMINATION OF EMPLOYMENT

POLICY: 212

Council approval: 12/02/2013 (Rev)

Pages: 6

POLICY:

When termination of employment is necessary, whether employee or employer initiated, proper procedures must be followed to assure equitable treatment to the employee and City. Termination from the City of Council Bluffs shall be officially documented in such a manner as to establish a clear record of action following the procedures set forth below.

APPLICABILITY:

All employees.

PROCEDURE:

1. The Department Head must submit a completed Personnel Action Form documenting the employee's termination as soon as it is known.
2. At the time of separation the employee must return all City property to his/her immediate supervisor (i.e. keys, I. D. badge, equipment, uniforms).
3. Below each type of termination and the applicable procedures are provided:
 - A. **Resignation.** It is the responsibility of each regular full-time or regular part-time employee, who plans to resign in good standing from City employment, to notify his/her immediate supervisor in writing of his/her intent at least fourteen calendar days in advance. This requirement may be waived by the Mayor for good and sufficient reason.
 - (1) Employees who resign in accordance with this rule shall receive payment for all accrued vacation leave and other benefits for which they are eligible according to the provisions of the policies governing such benefits.
 - (2) Sworn Police and Fire Personnel who terminate employment with less than 5 years' service are required to reimburse the City for the cost of training and specialized equipment as provided for in [Policy 202, Hiring](#). This requirement may be waived by either the Police Chief or the Fire Chief for their respective departments when conditions warrant said waiver.

- B. **Health Disqualification.** The City may require a medical examination by a City physician whenever it is felt necessary for the safe or efficient operation of the City. Such examination is to be treated as confidential and kept in a separate medical file. If this exam indicates that the employee can no longer safely and efficiently perform the required duties, the employee may be terminated for health reasons. Disqualification for health reasons will only occur when it has been determined that the City cannot reasonably accommodate the employee's/applicant's health problem.
- C. **Mandatory Retirement.** Police and Fire sworn personnel must retire on the first day of the month following their sixty-fifth birthday, unless otherwise provided by law. In addition, the City may at its discretion set a mandatory retirement age for other positions where age is a bona fide occupational qualification. All other employees may continue employment beyond the age of sixty-five as long as they are physically and mentally capable of exercising the efficient performance of the duties of the position which they hold.

An employee below the age of seventy, who has been retired under the provisions of this rule, may apply for appointment to any class of position except the one from which the employee was retired.

- D. **Lay-off: Regular position discontinued.** A lay-off occurs whenever a regular position is discontinued and the services of the incumbent holding the position are terminated.

When a class has been selected for lay-off purposes, lay-off of employees shall be made in the order determined by the Mayor. The order of lay-off for civil service positions is governed by state law.

Notice as to lay-off shall be provided as follows:

- (1) The Director of Human Resources shall give the employees to be laid-off written notice of the action at least five calendar days before the effective date.
- (2) An employee shall be paid for all leave credits for which the employee is eligible according to the policies governing such leave.

The Human Resources department shall establish lay-off lists for the names of employees laid off from regular positions after having completed the probationary period; or, who have been demoted or transferred to temporary positions in lieu of lay-off.

No new employee shall be hired by the City in any job classification where a lay-off list exists, prior to the expiration date of the lay-off list. Employees shall remain on the lay-off list for a period of three (3) years from the date of their lay-off. An employee who has been recalled for a position shall have five (5) calendar days from the receipt of notice that a position is available to advise the City, in writing, if he/she will accept the position.

Notice of recall shall be by certified mail. The City will determine the date the employee shall report to the position. If the offer of the position is declined, the name of the declining employee will be removed from the lay-off list.

- E. **Temporary Assignment Complete.** An employee who has completed his/her assignment in a temporary position shall be terminated.
- F. **Dismissal: Unsatisfactory Performance.** Cause for dismissal shall include acts involving unsatisfactory performance or acts or conduct prejudicial to the public interest.
 - (1) Acts involving unsatisfactory performance include but are not specifically limited to:
 - (a) Failure to perform the duties of the position because of inadequate knowledge, skills or abilities.
 - (b) In a supervisory position, inability to plan, organize, and direct the work of subordinates.
 - (c) In positions requiring initiative and independent judgment, inability to perform except under excessive supervision.
 - (d) Failure to perform the duties of the position because of physical, emotional or mental incapacity that cannot be accommodated.
 - (e) Habitual tardiness and/or chronic absenteeism.
 - (f) Unauthorized absence from duty.
 - (g) Abuse of sick leave.
 - (h) Habitual failure to maintain a satisfactory working relationship with other employees or the public.
 - (i) Failure to observe City or departmental regulations of any type.
 - (j) Failure or inability to meet established standards of performance, including either qualitative or quantitative standards.
 - (k) Failure to meet residency requirements.
 - (l) Insubordination: refusal or habitual failure to comply with the proper orders of an authorized supervisor; refusal to do assigned work which the employee is capable of doing.
 - (m) Acts or conduct detrimental to the good of the service ([See also policy 800, Work Rules/Standards of Conduct](#)).
 - (n) Accumulation of more than 30 calendar days of suspensions (176 hours of suspensions for an employee working a 40 hour week or 240 hours of suspensions for employees who work 56 hours per week in the Fire Department) in any consecutive twelve month period.

- (2) Acts of conduct prejudicial to the public interest including but not specifically limited to (See also policy 800, Work Rules/Standards of Conduct):
- (a) Theft, destruction, or gross neglect in the use of government property.
 - (b) Being under the influence of alcohol or drugs or disgraceful conduct while on duty; or the possession, use, or sale of alcohol or drugs during working hours.
 - (c) Deliberate discourtesy to the public.
 - (d) Acceptance of a gift or valuable consideration given with the intent of influencing the employee in the performance of his/her official duties.
 - (e) Use of official position or authority for personal profit or advantage.
 - (f) Betraying confidential information from privileged official records.
 - (g) Falsification of records, including falsification of application papers for employment in the service.
 - (h) A conviction of a felony or first degree misdemeanor involving moral turpitude; or, any crime which relates to or interferes with the employee's job performance or otherwise adversely reflects on the City. The term conviction will also include a plea of nolo contendere, an Alford Plea, a plea of guilty with adjudication withheld, deferred sentence, or any similar plea agreement that does not fully exonerate the employee.
 - (i) Any other offense against the public interest.
- (3) **Criteria for Determination of Unsatisfactory Performance.** In determining whether a specific act or offense of an employee is of such degree of seriousness as to warrant dismissal, an appointing authority shall be guided by:
- (a) The nature of the act or offense committed.
 - (b) The employee's performance and disciplinary record during the prior three year period.
- (4) **Dismissal Procedures:** The procedure for dismissal shall be as follows:
- (a) Employees dismissed during probation: During the probationary period following original appointment, a finding by the Mayor that a dismissal is in the best interest of the City shall be final; provided, that such action may be appealed in accordance with state statutes, local ordinances, and the City Personnel Policies. The employee shall be given notice of dismissal on or before the effective date. The employee shall also receive a written statement of the reasons for dismissal. Such statement shall be attached or included in the Personnel Action Form, which shall be mailed to the employee's last known address within seven (7) calendar days of the effective date.

(b) Employees dismissed following probation: Employees who are dismissed following satisfactory completion of the probationary period shall be dismissed in accordance with the following procedure: The employee shall be given notice of dismissal on or before the effective date. The employee is entitled to a pre-termination hearing before the Mayor or his/her designee. The employee shall also receive a written statement of the reasons for dismissal. Such statements shall be attached or included with the Personnel Action Form which shall be mailed to the employee's last known address within seven (7) calendar days of the effective date.

(5) **Documentation of Dismissal Charges by Supervisor or Department Head.** Charges which form the basis for a dismissal of an employee shall be specific and shall be documented by the supervisor or the Department Head, showing dates and places when applicable. Charges may include such items as specific areas of work deficiency; specific reference to work orders, departmental regulations, or personnel policies which have been violated; specific reference to failure to meet standards of performance; refusal to discharge assigned duties; specific habits or attitudes which cause unsatisfactory performance; evidence of previous warnings; and, specific instances of offense against the public interest. ([See also Disciplinary Procedure, 802.1.](#))

(6) **Pre-Termination Hearing.** The pre-termination hearing shall be held at the convenience of the Mayor. Notice of said hearing will be delivered by the employee's supervisor a minimum of 48 hours before the date that the hearing is scheduled. If notice is not delivered in person, notice will be sent by regular mail to the employee's last known address a minimum of 5 working days prior to the scheduled hearing. The Department Head making the recommendation to terminate shall present to the Mayor or his/her designee all information supporting the recommendation. The employee shall be given the opportunity to present evidence and provide testimony which the employee feels demonstrates the recommendation to terminate is too severe or unwarranted. Regardless whether the employee fails to appear or fails to make such a presentation, the hearing shall proceed.

At the conclusion of the hearing the Mayor or his/her designee shall either allow the Department Head to proceed with the termination; direct the Department Head to review the recommendation in light of his/her conclusions based on the information presented at the hearing; or, modify the disciplinary action taken based upon any new mitigating or exculpatory information provided by the employee.

(7) **Dismissed Employee's Rights.** Dismissed employee's rights will be as follows:

(a) Employees who are dismissed shall be granted accrued vacation pay and other benefits for which they are eligible according to the policies for such benefits.

- (b) When an employee has been dismissed and later applies for re-employment, the reasons for dismissal shall be evaluated as part of the determination of eligibility for re-employment.
- (c) When additional facts are revealed that substantially alter the basis for the original decision as to type of separation, the type of separation may be changed. Only the Mayor shall be authorized to change the type of separation. The Personnel Action Form shall show under remarks the type of change and reason for the change.

MAINTENANCE OF CREDENTIALS

POLICY: 213

Council approval: 3/29/2010

Pages: 2

POLICY:

The maintenance of qualifications is the responsibility of every employee and is an essential function of all City jobs. As a condition of continuing employment, an employee must maintain any licenses or certification credentials specified in the current class specification for the employee's job, or required by federal, state, or City law. An employee shall notify the department head immediately in the event of loss of a required credential. Failure to maintain required credentials shall be considered grounds for termination of employment.

APPLICABILITY:

All employees

PROCEDURE:

1. An employee who fails to maintain required credentials shall be terminated if:
 - A. The activity requiring the credential is the core defining function of the job, e.g., Attorney, Equipment Operator, WPC Plant Operator; or,
 - B. The department is unwilling to allow the employee to continue to work because of cost, lost productivity or other negative impact; or,
 - C. The employee will be without the credential for more than six (6) months; or
 - D. It is the employee's second loss of credential during City employment; or,
 - E. The employee's past disciplinary record warrants termination; or,
 - F. The employee refuses to accept an unpaid leave of absence under the provisions below; or
 - G. The employee is still on probation.
2. An employee may be granted an unpaid leave of absence for the period without the credential if:
 - A. The activity requiring the credential is not the defining function of the job; and,
 - B. The employee will be without the credential for not more than six (6) months; and,
 - C. The department is unwilling to allow the employee to continue to work because of cost, lost productivity, or other negative impact; and,
 - D. The employee's disciplinary record does not warrant termination.

If the required credential is temporarily lost due to the employee's negligence, or the employee's act of misconduct, the employee shall receive a disciplinary suspension without pay not to exceed the period without the credential, to a maximum of thirty (30) days. Suspension of an FLSA exempt employee shall not be less than a full work week. Leave without pay shall be granted only for that portion of the absence beyond the period of the suspension.

An employee who is unwilling to accept an unpaid leave of absence shall be terminated.

3. An employee may be allowed to continue working without performing the activity requiring the credential during the period without the credential for not more than six (6) months if:
 - A. The activity requiring the credential is not the defining function of the job; and,
 - B. After considering the potential impact on factors such as cost, productivity, or service levels, the department is willing to allow the employee to continue to work.

If the required credential is temporarily lost due to the employee's negligence, or the employee's act of misconduct, the employee shall receive a disciplinary suspension without pay not to exceed the period without the credential, to a maximum of thirty (30) days. Suspension of an FLSA exempt employee shall not be less than a full work week.

4. In the case of newly hired or promoted employees the individual must, as a condition of continuing employment, obtain any required licenses or credentials within the time period specified in the class specification or by the appointing authority. An employee who fails to obtain such required credentials within the specified time limits shall be terminated.
5. In cases where the activity requiring the credential is not the core defining function of the job, the termination or unpaid leave provisions of (1) or (2) may be waived if the employee submits to the department head a plan by which the duties requiring the credential can be performed without the credential without increased cost to the City, loss of productivity, reduced service levels, or other negative impact. The plan must be in writing, submitted in a timely manner, and acceptable to the department head. If the employee fails to carry out the plan, or if the plan does not result in satisfactory performance of the activity, or results in other negative impact on the City, the employee shall be removed from the position in accordance with (1) or (2). Notwithstanding the provisions of this subsection, the employee shall be subject to a disciplinary suspension as provided elsewhere in this policy.
6. The administration of the Maintenance of Credentials policy shall be the responsibility of the department head. Actions taken under this policy shall be reviewed by the Human Resources Director and approved by the Mayor. If, in the opinion of the Mayor, the strict application of this policy in a specific case would not serve the best interests of the City, the Mayor may waive or modify provisions of this policy. Examples of such circumstances include loss of a credential for a brief period, or other situations in which the loss of the credential would have such minimal impact on cost, productivity, etc., that the strict application of this policy would be inappropriate.

EMPLOYEE PERFORMANCE REVIEW

POLICY: 214

Council approval: 12/02/2013

Pages: 1

POLICY:

It is the policy of the City that regular employees receive written feedback regarding their job performance on a systematic basis to facilitate employee development. This feedback is designed to recognize good job performance, provide an opportunity to set goals for the future, and address any performance development needs.

APPLICABILITY:

All regular full-time and regular part-time employees.

PROCEDURES:

1. Employees will receive written feedback concerning their job performance on an annual basis from the employees' immediate supervisor.
2. The Employee Performance Review Form will be applicable to each employee's job requirements and the format used will be approved by the Mayor. The Human Resources Director may provide supplemental procedures and training to enhance the Performance Review process.
3. Each Department Head will review the Employee Performance Reviews completed by all supervisors in his/her respective department for completeness, fairness, consistency and effort put forth by the supervisor to properly evaluate employees, encourage, motivate and improve employee performance.
4. The Employee Performance Review process will include a meeting between the supervisor and subordinate to facilitate communication and employee development.
5. A copy of the completed Employee Performance Review will be maintained in the employee's Personnel File for a minimum of three (3) years.

City Personnel Policy

PAY ADMINISTRATION

POLICY: 300

Council approval: 12/02/2013 (Rev)

Pages: 4

POLICY:

It is the policy of the City to pay employees on a regular basis and in a manner so that the amount, method, and timing of such payments comply with any and all applicable laws or regulations.

APPLICABILITY:

All employees.

PROCEDURE:

1. **Pay Plans.** The City has established a number of pay plans, each consisting of a given number of pay grades, and each of which has a range of pay. Each regular full-time or regular part-time position is assigned a class title and is placed on one pay grade of the appropriate pay plan.
2. **Original Appointment.** Persons receiving original appointments to a position shall be paid at the minimum rate (first step) of the pay grade assigned to the class of work unless the Mayor, at the recommendation of the Department Head, shall determine that a rate above the minimum is necessary in order to recruit qualified personnel.
3. **Hours and Rates of Pay.**
 - A. All regular full-time employees shall be paid on a bi-weekly basis. Regular part-time and temporary employees shall be paid on an hourly basis.
 - B. For regular full-time employees eligible for overtime compensation under City policy or labor contract, the bi-weekly salary shall constitute compensation for all hours worked in the regular schedule. The City's hourly rate of pay for purposes of overtime compensation shall not include any other form of supplemental compensation (i.e. longevity pay, shift differential).
 - C. Non-union employees designated by the Mayor as executive, administrative, professional, and supervisory shall be salaried employees and shall not be eligible for overtime under City policy. A list of these employees shall be maintained in the Human Resources Department. The bi-weekly wage for these employees shall constitute all or part of the employee's compensation and shall not be subject to reduction because of variations in the quality or quantity of work performed except as provided in sections (1) and (2) below:

- (1) A pay deduction may be made for any work week in which the employee performs no work.
- (2) For absences of less than a work week the following shall apply:
 - a. Pay deductions may be made for authorized absences of a work day or more for personal reasons.
 - b. Pay deductions may be made for authorized absences occasioned by sickness or disability (including work accidents) in accordance with the City's sick leave policy or worker's compensation program.
 - c. Pay deductions may be made for a suspension without pay given in good faith as a penalty for infractions of safety rules of major significance.
 - d. Pay deductions may be made for a suspension without pay given in good faith as a penalty for infractions of workplace conduct rules.
 - e. Deductions may be made for leave taken under the Family Medical Leave Act even if such a deduction is for a partial day when intermittent leave is taken.
 - f. The entire bi-weekly salary need not be paid in the initial or terminal weeks of employment. In such weeks, the payment shall be proportionate to the time actually worked.

D. Pay Computation. Normally across the board increases will be applied to the hourly rate. For purposes of pay computation the following formulas will be used:

- (1) For employees working a 40 hour work week the biweekly rate is the hourly rate multiplied by 80.
- (2) For Fire Supervisory employees working a schedule that averages 56 hours per week the bi-weekly wage is the hourly rate multiplied by 112.
- (3) For Fire union employees working a 56 hour work week the hourly rate is multiplied by 106 to calculate the bi-weekly wage.
- (4) For Police Union employees the hourly rate multiplied by 78.58 equals the bi-weekly rate.
- (5) The bi-weekly wage multiplied by 26.1 pay periods in a year equals the annual wage.
- (6) The annual rate divided by 12 months in a year equals the monthly wage.
- (7) The hourly rate multiplied by 1.5 equals the overtime rate.

(8) The number of decimal places used in the calculation of the hourly and overtime rates is subject to change based on the parameters dictated by the software package used to prepare the payroll.

4. **Pay Dates.** All employees shall be paid bi-weekly on alternate Fridays. If a pay date falls on a holiday, pay checks shall be issued on the day preceding the holiday.
5. **Payment of Overtime under Fair Labor Standards Act (F.L.S.A.) Provisions.** Should the amount of overtime owed under City policy or contract be less than what is owed under the F.L.S.A., the employee shall be paid overtime in an amount equal to the F.L.S.A. overtime liability. The City has established a 28 day work period for the purposes of calculating F.L.S.A. overtime for Police and Fire employees eligible for the 7K exemption.
6. **Time Records.** All employees subject to the minimum wage and overtime provisions of the FLSA are required to complete an individual time record showing the daily hours worked. In general, time records cover two work weeks and are to be completed at the close of each workday. The time sheet for employees with an established 28-day work period under FLSA will include the full 28 day period. The following points should be considered in filling out time records:
 - A. Employees are to record their starting time, quitting time, and total hours worked for each workday.
 - B. Employees are not permitted to commence work before their normal starting time; or, to work after their normal quitting time, without the prior approval of their supervisor.
 - C. Unless otherwise provided, employees are required to take a lunch or meal break.
 - D. Time not worked for which an employee is entitled to be paid (paid absences, paid holidays, or paid vacation) should be entered by the employee on the time record. Authorized overtime also should be recorded by the employee. Employee time records are to be checked for accuracy and signed by both the employee and the employee's supervisor.
 - E. Unapproved absences are not to be considered as hours worked for pay purposes.
 - F. The falsification of any employee's time record is prohibited and may be grounds for disciplinary action, including termination.
 - G. Time records shall be maintained by each department for a minimum of four years.
 - H. The City may utilize an electronic time-keeping system for some or all employees. Time record provisions will be applied to electronic timekeeping systems where utilized.

7. **Shift Differential.** Police supervisory personnel assigned to the afternoon or night shift shall be paid an annual shift differential for working such shifts. The amount paid shall be determined by the City Council (see benefit amount in [Appendix "B"](#)). In the event the assignment is for less than a year, the employee shall be paid a prorated amount for each month during which the employee is on assignment to the afternoon or night shift. Payment shall be made on the first payday in December and shall apply to the previous twelve month period beginning December 1 and ending November 30.

City Personnel Policy

PYRAMIDING OF PAY PROHIBITED

POLICY: 301

Council approval: 03/29/2010

Pages: 1

POLICY:

It is the policy of the City that there shall be no pyramiding or compounding of wages, overtime or premium pay of any type.

APPLICABILITY:

All employees.

PROCEDURE:

In the event that more than one rate of pay could be applied, the highest rate only, shall prevail.

City Personnel Policy

OVERTIME

POLICY: 302

Council approval: 12/02/2013 (Rev)

Pages: 2

POLICY:

It is the policy of the City to compensate eligible employees for all overtime work required in order to accomplish their assigned tasks. If the City's overtime benefit is less than the benefit provided by the Fair Labor Standards Act (FLSA), the employee will be paid the amount owed under the FLSA.

APPLICABILITY:

All regular full-time or regular part-time employees.

PROCEDURE:

1. Unauthorized use of overtime will be cause for disciplinary action.
2. Unless otherwise provided, all authorized work performed by regular full-time employees in excess of their work schedule shall be designated as overtime work for the purpose of compensation.
3. All authorized work performed by regular part-time employees in excess of 40 hours in a work week shall be designated as overtime work for the purpose of compensation.
4. Non-union employees designated by the Mayor as executive, administrative or professional shall not receive overtime compensation.
5. Unless otherwise provided by labor contract, the rules governing assignment and compensation for overtime shall be as follows:
 - A. All overtime work shall be authorized in advance, except in cases of emergency, by the employee's immediate supervisor.
 - B. All overtime work shall be accrued and compensated for in quarter hour increments.
 - C. If a holiday or period of authorized paid leave occurs during a work week, such time shall be counted as paid time in determining whether an employee has worked overtime.
 - D. At the Department Head's discretion, overtime shall be compensated by one of the following methods:

- (1) Pay at time and one-half of the employee's regular hourly rate of pay in effect when the work is performed; or
 - (2) Compensatory time off at the rate of one and one-half hour of time off for each hour of overtime worked.
 - E. All records of overtime worked, overtime paid, compensatory time accumulated, and compensatory time used must be accurately recorded through the City's payroll system.
 - F. Effective the date of this policy revision, no employee will be allowed to accumulate more than 120 hours of compensatory time. Employees who are in violation of this policy will not be eligible to earn additional compensatory time off until their accumulation is in compliance with the compensatory time limit.
6. Minimum Pay Standard for Call Back (applicable to Police Sergeants and Police Lieutenants only).

An employee required to work outside of the employee's regularly scheduled work shift shall be paid a minimum of two and one half (2 ½) hours pay at the overtime rate when such work hours are not contiguous to the employee's regular work shift. Court time shall also be included in this provision. However, if an officer is required to participate in off duty pre-trial telephonic conferences with the city or County Attorney offices or phone conferences with other government agencies, the officer shall be paid a minimum of one hour pay at the overtime rate of pay.

City Personnel Policy

LONGEVITY PAY

POLICY: 303

Council approval: 03/29/2010

Pages: 1

POLICY:

The City provides a longevity pay benefit to employees in recognition of the length of an employee's continuous service to the City.

APPLICABILITY:

All regular full-time and regular part-time non-union employees.

PROCEDURE:

1. All eligible non-union employees shall receive longevity payments as determined by City Council (see specific amounts as shown in Appendix "B").
2. Longevity pay for regular part-time employees shall be prorated based on the number of regularly scheduled work hours to full-time.
3. Longevity pay is a bi-weekly payment intended to compensate employees for all hours worked or paid including hours worked beyond the employee's regularly scheduled hours. It is not included in the City's hourly rate of pay.

City Personnel Policy

SEVERANCE PAY

POLICY: 304

Council approval: 03/29/2010

Pages: 1

POLICY:

It is the policy of the City that upon termination, any eligible employee who has completed one (1) year of continuous service with the City shall receive severance pay. Employees who voluntarily resign or are discharged for cause shall not be eligible for severance pay.

APPLICABILITY:

All regular full-time non-union employees.

PROCEDURE:

1. Severance pay shall be paid at the employee's regular rate of pay in effect at the date of termination. For the purpose of this policy, all Assistant Fire Chiefs, regardless of actual hours worked, shall receive payment based on a forty hour work week.
2. In the case of retirement, employees shall be required to provide two weeks notice prior to the effective date of the termination to be eligible for severance. For the purpose of this policy, retirement shall mean the employee is qualified to receive retirement benefits under IPERS, Police and Fire Retirement, and/or Social Security retirement programs.
3. Severance pay shall be paid based on the following continuous service requirements:

<u>Years of Service</u>	<u>Amount of Severance</u>
More than 1, but less than 5	40 hours pay
More than 5, but less than 10	80 hours pay
More than 10, but less than 15	120 hours pay
More than 15	160 hours pay

City Personnel Policy

COMPENSABLE HOURS FOR TRAINING AND TRAVEL

POLICY: 305

Council approval: 12/02/2013

Pages: 4

POLICY:

It is the policy of the City to properly compensate employees for time spent traveling to or participating in job-related training or education required by the City.

APPLICABILITY:

All City employees who are not exempt from the overtime standards of the Fair Labor Standards Act (FLSA).

PURPOSE:

The FLSA mandates that certain times spent by non-exempt employees in traveling and/or attending seminars, conferences, and training qualify as hours worked under the Act. The purpose of this policy is to provide general guidance for determining which hours are compensable.

PROCEDURES:

1. TIME SPENT AT TRAINING AND CONFERENCES.

A. Time spent at conferences and training is **not** considered to be hours worked for non-exempt employees if all of the following are met:

- (1) Attendance is outside the employee's normal work hours;
- (2) Attendance is voluntary;
- (3) The lecture or training is not directly related to the employee's current job; and,
- (4) The employee does not perform productive work while attending the lecture or participating in the training program.

B. Time spent at conferences and training will be considered to be hours worked for non-exempt employees when any of the following are met:

- (1) Attendance is part of the employee's normal work hours;
- (2) Attendance is not voluntary;

- (3) The training is directly related to the employee's job; or,
 - (4) The employee is performing productive work while attending the lecture or participating in the training program.
- C. When an employee on his/her own initiative attends an independent school, college or independent trade school after work hours or on the employee's regular days off, the time is not hours worked even if the courses are related to the employee's current job.
 - D. Attendance outside of regular working hours including the employee's regular days off for specialized or follow-up training required by state law to obtain or keep professional certifications (e.g. Paramedic, Police Officer Firearms Training, etc.) will not be considered hours worked.
 - E. Attendance outside of regular working hours including the employee's regular days off for specialized or follow-up training required for certification of employees by law or a higher level of government will not be considered hours worked.
 - F. Police Officers or Firefighters who are in attendance at a police or fire academy or other training facility are not considered to be on duty during those times when they are not in class or a training session if they are free to use such time for personal pursuits. Such free time is not compensable.

2. TIME SPENT IN TRAVELING

- A. Employees in positions considered non-exempt may be eligible for compensation for the time they spend traveling. The compensation an employee receives depends upon the kind of travel and whether the travel time takes place within normal work hours or outside of normal work hours.
- B. "Normal work hours", for the purposes of defining work hours for travel time, are defined as 8:00 a.m. to 5:00 p.m. This definition applies to normal work days (Monday through Friday) and to weekends (Saturday and Sunday). Employees not working "normal work hours" (ex: third shift) will convert to this schedule while traveling on City business to insure appropriate and consistent payment.
- C. **One-Day Trips.** When employees are required to travel to another city, all the travel time involved counts as time worked. The only times excluded are meal periods and the time spent traveling between the worker's home and point of departure (such as the airport). This is to exclude the normal travel time from home to work before the regular work day begins and from work to home after the work day is over.

- D. Travel Time, More than One Day, Within Normal Work Hours.** Any portion of authorized travel time that takes place within normal work hours (defined as 8:00 a.m. to 5:00 p.m.) on any day of the week, including Saturday and Sunday, is treated as “work hours”. This includes time spent driving to the point of departure (such as the airport) and travel time until the employee reaches his/her hotel and is free to pursue personal pursuits. Driving from the airport to home at the completion of the travel assignment would also be work time.
- E. Travel Time, More than One Day, Outside of Normal Work Hours.** Any portion of authorized travel time (with the exception of driving time) that takes place outside of normal work hours is considered to be “outside travel hours”.
- (1) When a non-exempt employee is required to travel as a passenger in an automobile, plane, or any other mode of transportation *outside* of normal work hours, he/she will not be compensated for that portion of travel time that takes place outside of normal work hours.
 - (2) When an employee travels between two or more time zones, the time zone associated with the point of departure should be used to determine whether the travel falls outside of normal work hours. The fact that an employee changes time zones during travel time shall not be used to inflate or decrease the actual number of hours worked.
 - (3) Travel time as the driver of an automobile. All authorized travel time spent driving an automobile (as the driver, not as a passenger) is treated as “hours worked”, regardless of whether the travel takes place within normal work hours or outside of normal work hours. This includes driving a rental car from the airport to the hotel; driving to or from the airport; or, driving from the airport to home at the completion of the trip.
 - (4) Travel as a *passenger* in an automobile is not automatically treated as “work hours”. Travel as a passenger in an automobile is treated the same as all other forms of travel and compensation depends upon whether the travel time takes place within normal work hours or outside of normal work hours.
 - (5) If an employee drives a car as a matter of personal preference when an authorized flight or other travel mode is available, and the travel time by car would exceed that of the authorized mode, only the estimated travel time associated with the authorized mode will be eligible for compensation.
- F. Calculating and Reporting Travel Time.** Employees are responsible for accurately tracking, calculating and reporting travel time on their time records in accordance with this policy.
- G. Meal Periods.** Meal periods should be taken to the extent possible and when taken should be deducted from any travel time.

- H. If an employee requests a specific travel itinerary or mode that is different than the one authorized, only the estimated travel time associated with the schedule, route and mode of transportation authorized should be reported on the time sheet, and will be compensable.

City Personnel Policy

**COMPENSATION FOR EXEMPT EMPLOYEES DURING
DISASTERS/EMERGENCIES**

POLICY: 306

Council approval: 12/02/2013

Pages: 2

POLICY:

In the event that a disaster or state of emergency is proclaimed in accordance with Chapter 372.14, Code of Iowa, exempt employees shall be compensated for hours worked beyond their normal work hours as provided in the procedures below.

The Mayor may also determine special emergency circumstances warranting payment to exempt employees for service above and beyond normal duty. In this case the procedures below shall also apply.

APPLICABILITY:

Employees who are exempt from the overtime pay requirements of the Fair Labor Standards Act (FLSA).

DEFINITION:

The term overtime hour as used in this policy refers to hours worked beyond the hours in the employee's regular schedule.

PROCEDURES:

1. To be eligible for payment under the policy an exempt employee must be designated by the Department Head and approved by the Mayor as being an emergency or disaster worker.
2. The Mayor will determine the dates when the disaster response and recovery effort begins and when it ends. Payment will not be made for work performed before or after these dates.
3. Eligible exempt employees must record all hours worked on the disaster time record provided by the Finance Department for this purpose, as well as their regular time sheet (if applicable).

4. Exempt employees shall be paid at their straight time hourly rate for all overtime hours worked that exceed 20 hours in a pay period. Should the unpaid overtime hours an employee works exceed 80 hours, all subsequent overtime hours worked will be paid on an hour-for-hour basis at the straight time rate.
5. All hours paid under this policy must be directly related to the disaster/emergency and be approved by the employee's Department Head.

City Personnel Policy

VEHICLE USAGE

POLICY: 400

Council approval: 03/29/2010

Pages: 6

POLICY:

It is the policy of the City to provide vehicles for business use whenever possible, to allow employees to drive on City business, and to reimburse employees for business use of personal vehicles according to the guidelines below.

APPLICABILITY:

The provisions of this policy are applicable to all City employees who receive reimbursements or allowances for the use of their personal vehicles in conducting City business; or, who operate City vehicles.

ADMINISTRATION:

The Director of Finance is primarily responsible for the contents and administration of this policy. All other Department Heads have collateral responsibility for administration of this policy.

PROCEDURE:

1. **In General.** The use of a City-owned vehicle or the receipt of mileage reimbursement or allowances for the use of a personal vehicle will be approved only for necessary travel for official City business and will not be considered a means of compensation. Those who are required to use a personal vehicle in conducting official City business shall receive mileage reimbursements in accordance with this policy. Use of an emergency/Special-use vehicle or assignment of an eight-hour vehicle shall also be in accordance with the provisions of this policy. However, it is understood that certain operational demands may exempt certain operators from some of the provisions of this policy. All such exemption requests shall be presented to the Mayor or his designee, in writing, for approval.
2. **Permitted Uses.**
 - A. General: Vehicles covered under this policy shall be used for official City business only. Operators of both personal and City-owned vehicles shall observe all traffic regulations. They are also expected to drive the shortest and most direct route between stops. Any personal use of City-owned vehicles (other than approved commuting) is strictly prohibited.

- B. Lunch Breaks: Only those departments or divisions assigned emergency/special use vehicles may use the vehicle for transportation to and from work or to lunch. Those assigned vehicles on an eight-hour basis, who regularly work in the field most of the day, may drive the vehicle to lunch only if: 1) they are away from the office when the lunch hour occurs; 2) if the lunch break is taken in the immediate area; 3) if the mileage is not excessive; and, 4) they have received the approval of the responsible Department Head. Under no circumstances will any mileage allowance be paid to take a driver's private vehicle to lunch or to return to the office for the lunch period.
 - C. Passengers: Normally, only City employees shall drive or ride in City vehicles or private vehicles being used for official City business. Exceptions to this may be authorized by the department head for good cause.
3. **Qualifications to Operate Vehicle.** Department Heads use all reasonable means for ensuring that all of their employees have a license to operate the type of vehicle being used and that the employee's safety driving record and physical condition justifies the operation of such vehicles. Employees holding jobs designated as requiring regular driving for business must, as a condition of employment, be able to meet the driver approval standards of this policy at all times. For all other jobs, driving is considered only an incidental function of the position. Employees approved to drive on City business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability.
4. **Types of Assignment.**
- A. Guidelines. Those who regularly need a vehicle in performance of their official City business will use a personal vehicle; or, at the City's option, be assigned an eight-hour vehicle or an emergency/special use vehicle. Although each type of assignment will be determined individually, the following guidelines shall be followed in making these types of assignments.
 - (1) **Personal Vehicle**: Reimbursements for the regular use of a personal vehicle on official City business will be approved when this type of arrangement best meets the needs of the City. Normally this type of assignment shall be considered when a vehicle is needed for a limited number of hours each day, and when no eight-hour City vehicle assigned to the department is available.
 - (2) **Eight-hour Assigned City Vehicle**: An eight-hour assignment of a City vehicle may be approved to a specific employee or department when:
 - (a) It is less expensive to furnish a vehicle than to pay mileage; and,
 - (b) A vehicle other than a passenger vehicle is required; or,
 - (c) Other factors warrant such an assignment.
 - (3) **Emergency/Special-Use Vehicle**: An emergency/special-use vehicle will be approved to the department when:

- (a) The department is frequently subject to twenty-four hour emergency calls throughout the year and carries special tools, equipment, supplies, or parts needed to perform emergency work or special duties.
 - (b) Other circumstances not specifically mentioned herein warrant such an assignment.
- 5. **Authorization.** Authority to regularly receive mileage reimbursements for the use of a personal vehicle for official City business or to use a City-owned vehicle on an eight-hour basis or emergency/special-use assignment must be received from the Mayor upon recommendation of the appropriate Department Head. The appropriate forms to be completed by Department Heads are "Request to Receive Mileage Reimbursement for Use of a Personal Automobile" (see Appendix "A" - F400-1) and "Request for City Vehicle Assignment" (see Appendix "A" - F400-4). Only those assignments which are first recommended by the Department Head shall be forwarded to the Mayor for review. Assignment requests which are not warranted shall be denied by the Department Head. After each request is approved by the Department Head, it shall be forwarded to the Mayor for final approval or disapproval.
- 6. **Use of a Personal Vehicle on Official City Business.** All employees shall properly document all mileage driven in their personal vehicle for official City business. Said documentation shall be approved by their respective Department Head and submitted to the Finance department for reimbursement at the currently approved reimbursement rate (see amount specified in Appendix "B"). The City will periodically review any changes in the amount paid by the City taking into consideration current transportation costs.
- 7. **Documentation.** In order to receive mileage reimbursements for traveling expenses for official City business in a personal vehicle, it is necessary that accurate, detailed and substantiated mileage records be kept. Reimbursements shall be made on the following basis:
 - A. Authorized Reimbursement: A City employee is expected to use good judgment in submitting requests for mileage reimbursements. Reimbursements will be made only for mileage traveled in conducting official City business. Mileage for traveling between home and work and between work and lunch or other personal business does not qualify for reimbursement. Employees shall be expected to use the shortest and most direct routes in the performance of their duties.
 - B. Form: The "City Business Mileage Log" (see Appendix "A" - F400-2) shall be used for the purpose of recording and reporting miles traveled in personal vehicles while conducting City business each month. The information in each of the seven columns of the "City Business Mileage Log" must be completed in full for each stop made by the employee in the course of conducting official City business. In no case will cumulative daily mileage be accepted. When more than one City employee uses the same personal vehicle for travel, only the owner of the vehicle shall be reimbursed.
 - C. Procedure: The "Mileage Reimbursement Request" form (see Appendix "A" - F400-3) shall be signed by the employee requesting the reimbursement and

submitted to the Department Head for review and payment. The Department Head shall establish appropriate reporting frequency (i.e. monthly or quarterly) and shall have the authority to approve or deny claims not filed in a timely manner.

- D. Emergency Use of Vehicle: Reimbursement for emergency trips in a personal vehicle, for employees not normally authorized, i.e., when a City-owned vehicle is not available, will occasionally be approved upon recommendation of the Department Head and approval of the Mayor. Such report shall be filed within five days following the trip. No individual reimbursements of less than one dollar will be approved.
 - E. Verification: The Department Heads are hereby authorized and directed to use any reasonable means of auditing and checking the validity of mileage reimbursement requests.
 - F. Out of City Travel: Mileage for out of city travel that is more than 50 miles round trip should be reported on the Travel & Business Expense Reimbursement Request (see Appendix "A" - 401-1) and submitted for reimbursement. Out of city mileage should not be reported on the Mileage Reimbursement Request.
8. **Insurance.** Employees shall be assumed to meet all state automobile requirements. Employees using personal vehicles may be required to provide proof of automobile insurance coverage for liability and property damage. The City will not assume responsibility for any physical damage to employees' vehicles for any reason. If an employee is expected to drive more than 2,000 miles a year for city business, the employee must have a current certificate of insurance on file with the City Risk Manager.
9. **Assignment.** City-owned vehicles assigned specifically to a City employee shall be used only by that individual. However, temporary reallocation may be approved by a Department Head. Vehicles allocated only to a department shall be assigned in a manner approved by the Department Head.
10. **Responsibility.** Employees assigned City-owned vehicles on an emergency/special-use or eight-hour basis shall assume responsibility for making the vehicle available to the appropriate City garage at appropriate times for servicing and for immediately reporting any mechanical failures or difficulties. It shall be the responsibility of City employees to follow this policy; and if a departmental director sees his/her employees use City vehicles by careless operation or with maintenance neglect, such employees may be subjected to disciplinary action and/or dismissal. Employees authorized to use a City-owned vehicle for commuting purposes are subject to IRS regulations and when appropriate must submit the necessary records to the Finance Department to facilitate W-2 reporting requirements.

11. **Storage of City-owned Vehicles.** City-owned vehicles assigned on an emergency/special-use basis when driven home shall be parked only on the private property where the assigned operator resides and not on the street unless a waiver is granted by the Department Head. If possible, City vehicles should be parked overnight or on weekends in a garage.
12. **Safety Guidelines.** All individuals operating a vehicle during the performance of their job are expected to observe the following safety guidelines:
 - A. Circumstances permitting, the operator of a vehicle has the responsibility to check the safety features of their vehicle prior to commencing operation. The check should include (but is not limited to) all lights and brakes.
 - B. No operator of a vehicle shall modify, remove, deactivate or otherwise tamper with the vehicle safety belts, emission control devices, or any part of the vehicle which affects its operation. Safety belts shall be worn in compliance with Iowa state law.
 - C. During periods of inclement weather when vehicles cannot be washed regularly, the operator of a vehicle must assure the headlight and taillight lenses are kept clean, insofar as circumstances permit.
 - D. No employee shall operate any vehicle which he/she believes to be operationally unsafe.
 - E. Regardless of the seriousness of the situation to which the employee is responding, and excepting circumstances that are clearly beyond the employee's control, the operator shall be held accountable for the manner in which he/she operates his/her vehicle.
 - F. City vehicles shall be legally parked in such a manner so as to not create an obstacle or hazard to other traffic.
 - G. The operator of a City vehicle, upon being made aware of any unsafe condition, shall advise his/her supervisor, who shall refer the vehicle to the City repair shop.
 - H. A City vehicle with serious mechanical defects shall be towed, not driven, to the shop.
 - I. The operator of a vehicle shall exercise careful observation of surrounding conditions before turning or backing the vehicle.
 - J. A vehicle shall not be left unattended with its engine in operation.
 - K. The operator must recognize the variable factors of weather, road surface conditions, road contour, and traffic congestion, all of which directly affect the safe operation of any motor vehicle, and shall govern the operation of his/her vehicle in accordance with these factors.
 - L. In addition to the provisions of this policy, the operation of City vehicles is also governed by the Motor Vehicle Laws of the State of Iowa and City ordinances.

13. **Vehicular Accident Reporting.** In the event of any accident involving a City vehicle or a private vehicle being used on official City business, the vehicle shall be left in exactly the position that it came to rest after the accident. After insuring that no life is in immediate jeopardy, the Emergency Communication Center shall be notified by calling 911. The dispatcher shall be told that a City vehicle and employee are involved. No vehicle shall be moved until instructed to do so by a police officer.

As soon as possible the Department Head, City Attorney and Risk Manager shall also be notified. The employee shall complete all accident reports necessary and shall fully cooperate in the investigation of the accident.

14. **Out-of-Town Travel.** When traveling outside of the immediate area, the means of travel shall be in the best interests of the City.

City Personnel Policy

PAYMENT OF TRAVEL AND BUSINESS EXPENSES

POLICY: 401

Council approval: 12/02/2013 (Rev)

Pages: 4

POLICY:

The City of Council Bluffs will pay reasonable expenses which are incurred in the course of authorized City travel for the purpose of conducting City business, representing the City at meetings and professional associations, as well as for training to enhance performance. Employees who improperly submit for travel reimbursement and approvers who improperly authorize the use of City funds are subject to disciplinary action.

APPLICABILITY:

All departments and all City personnel, including both elected and appointed City officials, must follow these policies.

PURPOSE:

The purpose of this policy is to make employees, supervisors, Department Heads, and other City officials aware of their respective roles and responsibilities relative to submitting and approving travel and business-related expenses. Individuals are expected to be prudent when incurring travel or business expenses.

ADMINISTRATION:

The Director of Finance is primarily responsible for the contents and administration of this policy. All other Department Heads have collateral responsibility for administration of this policy.

PROCEDURE:

1. **Authorization to Travel.** Supervisors must approve travel requests before the travel occurs in order to document that the employee is authorized to travel on City business. Absences that include an overnight stay should also be documented on an Absence Report and Leave Request. Supervisors are responsible for ensuring that travel is appropriate, reasonable, and necessary to the mission and responsibilities of the department and/or City government, and that funds are available for related expenses.

2. **Expenses Eligible for Payment or Reimbursement.** Travel expenses that may be paid by the City include conference or training fees, meals, lodging, and transportation costs. Excess costs, indirect routes, delays, or luxury accommodation and services unnecessary, unjustified, or solely for the convenience or personal preference of the employee are not acceptable. Employees will be held responsible for unauthorized costs and additional expenses incurred for personal preference or convenience.
- A. Lodging Expense: Reasonable lodging expense will be paid either directly by the City or will be reimbursed to the employee for an approved function. Additional lodging expenses incurred by spouses or other persons not employed by the City but traveling with the employee will not be paid by the City. Tips paid for hotel/motel services will not be reimbursed.
 - B. Seminar/Tuition Expense: Approved conference, seminar or tuition registration expenses will be paid by the City.
 - C. Transportation: Reimbursement or payment of transportation expenses shall be in the best interest of the City. In no case shall the total travel reimbursement exceed the tourist class air rate or the actual mileage rate incurred, whichever is less. Tips for transportation services will not be reimbursed. If air travel is deemed to be in the best interest of the City and the employee wishes to travel by automobile, any time spent driving in excess of the time air travel would take must be charged to the employee as leave.
 - (1) Air Travel Procedure: Each Department is responsible for making air travel arrangements in a prudent manner. Any deviation from the reservation after it has been paid, whether refund due or additional cost incurred, shall be the responsibility of the Department Head to pursue. Refunds cannot be credited to the individual budget expenditure.
 - (2) Travel by Personal or City Automobile: Travel by personal or City automobile will be allowed when it is in the best interest of the City. Employees are eligible for mileage reimbursement for actual miles driven to and from the function. The approved mileage reimbursement rate shall be 90% of the rate established by the IRS for business purposes as of January 1 of each calendar year rounded down to the nearest cent. When taking a City automobile the employee will be reimbursed for any gasoline expenditures incurred provided that an actual receipt for the purchase is submitted with the reimbursement.
 - D. Meal Reimbursement: The City will reimburse employees for meals while in travel status. Travel status means having lodging expense either the day of the meal reimbursement or the night previous to the meal reimbursement.

- (1) Meals previously paid for by the City in the registration cost for the function will not be reimbursed to the employee.
- (2) Reimbursement for meals shall be determined using the rates established by the State of Iowa for in state travel. These rates include the meal cost and any tip paid.
- (3) The maximum amounts that can be reimbursed for breakfast, lunch, and dinner can be found in Appendix "B".
- (4) In addition, meal reimbursements are subject to the following conditions:
 - (a) Employees within the Council Bluffs City Limits at 7:00 a.m. cannot claim breakfast.
 - (b) Employees within the Council Bluffs City Limits at 12:00 p.m. cannot claim lunch.
 - (c) Employees within the Council Bluffs City Limits at 6:00 p.m. cannot claim dinner.
- (5) Meal reimbursement in excess of these amounts may be made only upon a showing of extraordinary circumstances and the submission of actual receipts for meals. If reimbursement is requested in excess of these amounts, all meal receipts must be submitted and must be clearly marked for which meal the expense was incurred.

E. Miscellaneous Expenses: Employees will also be reimbursed for any other necessary charges such as taxi, bus, parking, etc. Receipts are required for parking expenses and any others that are deemed necessary and pertinent. Receipts should be obtained for any other miscellaneous expenses when possible.

3. **Forms of Payment for Travel and Business Expenses.** Travel and business expenses can be paid for or reimbursed in the following manner:

- A. Use of a City of Council Bluffs Travel Card or Purchasing Card is the preferred payment method for transportation, lodging, training expenses, and fuel purchases.
 - (1) Purchases should not be made for travel or business expenses without prior authorization of the Department Head.
 - (2) City credit cards shall not be used to purchase meals.
 - (3) When gasoline is purchased for a City vehicle a copy of the receipt with the mileage and vehicle number indicated must be forwarded to Equipment Maintenance.
 - (4) A sales receipt or confirmation statement must be obtained and forwarded to the Purchasing Division at the time the card is used for payment.

- B. Employees may opt to pay for their own travel, lodging, training, meal or fuel costs.
- (1) To obtain reimbursement for eligible expenses the employee should complete a Travel and Business Expense Reimbursement Request form (see Appendix "A" – F401-1) and attach receipts showing payment of applicable expenses within ten working days of return from the function.
 - (2) Employees may request reimbursement for meals as provided in 2. D. of this policy. Reimbursement for meals can be made up to the amounts specified without a receipt.
 - (3) All expense reimbursement requests must be signed by the claimant, approved by the Department Head, and approved by a designee of the Finance Department.
 - (4) When required, actual receipts, not photocopies, must be attached to the expense reimbursement request.
 - (5) If available an agenda for the function must also be attached to the request
- C. For expenses that can be directly billed to the City, the employee can process payment through the normal accounts payable system. This method can be used to have a City check prepared for the employee to deliver at the time of the conference.

CELL PHONE USE AND COMPENSATION

POLICY: 402

Council approval: 03/29/2010

Pages: 4

POLICY:

The City will determine which employees have a need to conduct legitimate City business on a cellular phone. For these employees, the City will either provide a City-owned cell phone or compensate the employee for business use of the employee's personal cell phone. City equipment and services are not to be used for non-business, personal, or private purposes, except as otherwise provided herein.

APPLICABILITY:

All employees.

PURPOSE:

This policy defines procedures and guidelines for the initial approval, acquisition, reimbursement and continued use of cellular phones by City employees.

ADMINISTRATION:

The Director of Finance is primarily responsible for the contents and administration of this policy. All other Department Heads have collateral responsibility for administration of this policy.

PROCEDURE:

1. The Department Head will approve cell phone service compensation or use of a City-owned cellular phone for those employees who need this service to facilitate their job performance.
2. An employee who has been designated as needing wireless phone service should complete a "Wireless Services Compensation Agreement" form (see Appendix "A" - F402-1) indicating the employee's election of one of the following two options:
 - A. Option 1. City pays stipend toward employee-owned cell phone.
 - (1) The amount of the stipend is determined by the Department Head based on the average amount of business phone usage that is projected and any other special plan features or equipment that is determined to primarily benefit the City.

- (2) Cell phone stipends will be paid only to those employees who are willing to have their cellular phone number published for City use and who are willing to be available for calls by keeping their cell phones on when out of the office during working hours.
- (3) The stipend is part of the employee's taxable wage.
- (4) An employee who consistently exceeds the established limits of his/her plan due to a higher volume of business-related calls can seek special consideration from his/her supervisor. Requests will be considered on a case-by-case basis and approved by the employee's Department Head.
- (5) Employees receiving a stipend are responsible to pay their bills. An employee who leaves City employment will still have full financial responsibility for the cellular contract.

B. Option 2. City owns cell phone; employee reimburses City for personal use.

- (1) The employee must document all calls sent and received including the other party's name, purpose of the call, date, and time and whether the call was for personal or for business purposes.
- (2) The employee will reimburse the City the cost per minute of personal usage as determined by the City.
 - (a) If the total number of plan minutes used is less than the normal plan limits, the cost will be the base plan cost divided by the number of minutes it is intended to cover rounded up to the nearest cent. (Example: a \$35 monthly plan with 300 covered minutes would be charged as .12 cents per minute for personal use.)
 - (b) If the total number of plan minutes used is more than the plan limits, the cost shall be assigned by charging the business use first. (Example: a \$35 monthly plan with 300 covered minutes with 250 business minutes and 100 personal minutes would be charged as 50 minutes at the normal rate of .12 cents per minute of personal use and 50 minutes at the rate charged for minutes beyond 300.)
 - (c) Roaming, directory assistance, and other miscellaneous charges that can be attributed to personal use will also be paid by the employee.
 - (d) Calls that are not within the control of the employee such as wrong numbers or vendor solicitations are not considered "personal" for the purposes of calculating any potential reimbursement due to the City.
- (3) A copy of the "Wireless Services Compensation Agreement" form will be sent to the Finance Department for recordkeeping purposes and to add or modify a cell phone stipend to payroll.

- (4) Employees electing this option will receive a copy of the monthly bill and compare this bill with the log to determine the amount to reimburse the City.
 - (a) The employee will submit a copy of the "Cell Phone Call Log" form for the billing period along with a completed "Reimbursement for Personal Use of City Cell Phone" Form to the employee's supervisor. (See Appendix "A" – F402-2 and F402-3.)
 - (b) Cell phone bills will be routinely audited by the employee's Department Head or designee to confirm that reimbursement has been made for all personal calls.
 - (c) After department review and approval a copy of the "Reimbursement for Personal Use of City Cell Phone" form specifying payment due will be given the City Treasurer's office.
 - (d) The amount owed by the employee must be remitted to the City Treasurer's Office within 45 days of the bill.
 - (5) An employee provided with a City-owned cell phone under this option must diligently carry and be available by cell phone during all work time the employee is not available through the normal office phone system.
 - (6) Cell phones that are City property shall be subject to review, audit, interceptions, and disclosure by the City without permission of any individual employee. Thus, employees should not consider any communications via City cell phones confidential, personal, and/or private.
3. The Department Head is responsible for having the City-owned cell phone plan periodically reviewed to ensure the plan continues to be appropriate for the amount of usage.
 4. The failure of an employee to perform any obligation required under this policy will be subject to established City actions which may include restitution, disciplinary action up to and including termination, and/or prosecution.
 5. On-the-job Cell Phone Usage:
 - A. Employees are prohibited from using a cell phone camera during working hours unless prior authorization from the employee's supervisor is obtained.
 - B. To the greatest extent possible, employees should not allow cell phones to interfere with productivity during business meetings. The cell phone's ring should be set to the vibrate mode and personal calls should not be taken.
 - C. It is realized that employees may occasionally need to make or receive personal calls during working hours. Like the use of City-owned landline phones, time spent on such personal calls should be kept to a minimum so as not to interfere with the quantity and quality of work required. To the extent possible such calls should be made during break time and lunch periods.

- D. Employees are expected to exercise good judgment while using the cellular network. Cell phones are subject to monitoring with simplified radio scanner technology and therefore are not suitable for conversations where privacy or security is a requirement.
- E. Using a cell phone while operating a vehicle is strongly discouraged. Employees should plan calls to allow placement of calls prior to traveling.
 - (1) Mobile phone users should assess the traffic situation before placing or receiving calls, making sure they are fully aware of road and vehicle distractions.
 - (2) If an employee needs to make or take a phone call while driving, the individual should find a proper parking space first.
 - (3) Stopping on the side of the road is discouraged unless it is for genuine emergencies such as an accident or car breakdown.
 - (4) Employees with hands-free telephones may make brief phone calls while driving but must park when road conditions are poor, traffic is heavy, or the conversation is involved.
 - (5) Proper cell phone use is a major part of safe driving. An employee who fails to use his/her cell phone in a safe manner will be subject to discipline.

City Personnel Policy

ADMINISTRATIVE LEAVE

POLICY: 500

Council approval: 03/29/2010

Pages: 1

POLICY:

It is the policy of the City to provide 40 hours of annual paid leave (72 hours for Asst. Fire Chiefs assigned to the 24-hour work shifts) to Fair Labor Standards exempt employees as a part of the management benefit package.

APPLICABILITY:

Regular full-time non-union employees in positions not eligible for overtime.

PROCEDURE:

1. Administrative leave will be granted only after determination that a specific position is exempt from the overtime provisions of the Fair Labor Standards Act.
2. Executive, administrative or professional employees shall be eligible to receive administrative leave upon the date of hire or upon the date when they become eligible for administrative leave, whichever is appropriate.
3. Unused administrative leave shall not be carried forward past one year from the date it was granted. Unused administrative leave shall not be converted to cash upon termination of employment.
4. An employee on terminal leave shall not be granted any additional administrative leave beyond the amount the employee had prior to the terminal leave.
5. An employee shall not receive both administrative leave and overtime compensation.

City Personnel Policy

CASUAL LEAVE

POLICY: 501

Council approval: 03/29/2010

Pages: 1

POLICY:

It is the policy of the City to provide to eligible employees eight hours of paid leave each fiscal year to be used as a floating holiday.

APPLICABILITY:

All regular full-time and regular part-time non-union employees.

PROCEDURE:

1. Casual leave may not be carried over to the next fiscal year. If the leave is not used in the fiscal year it is received, it is lost.
2. Upon termination, an employee will be paid for any unused casual leave.
3. No employee shall be granted casual leave until after completion of the initial probationary period.
4. The casual leave day for regular part-time employees shall be prorated based on the number of regularly scheduled work hours as compared to full-time.
5. Police supervisors below the rank of Police Chief do not receive separate compensation for the casual day. It is included in their holiday pay described in [Policy 504](#).
6. Fire Supervisory staff does not receive separate compensation for the casual day. It is included in their holiday pay/leave benefit described in [Policy 504](#).

City Personnel Policy

EDUCATIONAL ASSISTANCE

POLICY: 502

Council approval: 03/29/2010

Pages: 3

POLICY:

It is the policy of the City to provide educational assistance to its employees in accordance with the guidelines established below.

APPLICABILITY:

All regular full-time employees.

PROCEDURE:

1. **Tuition Reimbursement.** (Does not apply to Police sworn personnel below the rank of Chief and Fire Sworn Personnel receiving College Incentive Pay under section 2 below.)
 - A. To be eligible for educational assistance, employees must have regular full-time status and at least one year of service.
 - B. Eligible employees may be reimbursed only for courses of study which the Department Head determines are related to the employee's present job; or, which will enhance the employee's potential for advancement to a position within the City and, to which the individual has a reasonable expectation of advancing. In addition, courses or programs to be eligible for reimbursement must be offered by accredited institutions of learning.
 - C. Employees who want educational assistance must have prior written approval of the Mayor before enrollment. Such approval will not be granted without a positive recommendation by the employee's Department Head. Department Heads must identify funding for the assistance before making a positive recommendation. Approval for tuition assistance must be requested for each course to be taken. Approval for one or more courses should in no way be considered a guarantee of continuing assistance.
 - D. The Mayor and Department Heads will normally consider the following factors in evaluating requests for educational assistance:
 - (1) The nature and purpose of the course of study;
 - (2) The benefits to be derived by the employee and the City;

- (3) The employee's level of responsibility and length of service;
 - (4) The estimated cost and availability of funds;
 - (5) Any potential lost time or productivity while the employee attends the program.
- E. Employee reimbursement for eligible educational assistance will normally be based upon the grade received for the course, as follows:
- (1) For a grade of 'A' or 'B', 100% of reimbursable costs;
 - (2) For a grade of 'C', 50% of reimbursable costs.

No reimbursement will be made for a grade lower than 'C', and 75% of reimbursable costs will be made for passing a 'pass-fail' course. Employees receiving reimbursement from any outside sources, such as the Veteran's Administration or scholarships, may use the above formula but the City's portion may not make the total exceed 100% of the reimbursable cost.

- F. Employees seeking reimbursement for educational expenses must submit to the Finance Department a certified transcript or grade slip and receipt for the expenses incurred. The City will then reimburse to the employee the applicable percentage of the cost of tuition. However, employees who take courses at the specific request or direction of management may be reimbursed for all costs in advance.
- G. Employees who are terminated during enrollment because of a reduction in force or elimination of their job will be reimbursed for the full amount of the costs incurred up to the date of termination or transfer. Employees who, prior to completing the approved course, voluntarily leave the City or are terminated for reasons other than those listed above will not be reimbursed for the expenses associated with the course.
- H. Employees seeking reimbursement for educational expenses must agree in writing to repay the City if they leave the City voluntarily or are terminated within three years from the date of reimbursement. Repayment will be in accordance with the following schedule:

Within one (1) year of reimbursement	100%
Within two (2) years of reimbursement	75%
Within three (3) years of reimbursement	50%
After three (3) years of reimbursement	0%

- I. Employees are expected under normal circumstances to schedule class attendance and the completion of study assignments outside of their regular work hours. It is expected that educational activities will not interfere with the employee's work, and unsatisfactory job performance during enrollment may result in forfeiture of educational assistance and termination of employment.

2. **College Incentive Pay.** (Applies to Police sworn personnel below the rank of Chief and Fire sworn personnel below the rank of Chief who were hired before July 1, 1999 and have not applied and been granted any benefit described in section 1 of this policy).

The City will pay \$1.00 per semester credit hour per month for all satisfactorily completed credit grades of 'C' and above and in excess of 12 semester credits to a maximum payment of \$110 per month. The City will pay for courses only within City approved programs. All individuals having between 13 and 18 semester credits shall relinquish the educational incentive program assistance after two (2) years if they have not continued satisfactorily in an approved program and completed in excess of 18 semester credits. Quarter credits shall be converted to semester credits according to the following formula: one quarter credit equals two-thirds of a semester credit. The City shall not pay for any of the basic 12 minimum credits.

City Personnel Policy

**GROUP HEALTH, LIFE, DENTAL, OPTICAL, AND
LONG TERM DISABILITY PLANS**

POLICY: 503

Council approval: 03/29/2010

Pages: 2

POLICY:

It is the policy of the City to establish and maintain a group health, life, dental, eye care, and long term disability plan designed to assist employees in meeting financial burdens in cases of illness, injury, death, and disability. The City retains the right to modify, amend, or terminate any or all benefit plans for any and all persons eligible for benefit under the plans.

APPLICABILITY:

All eligible regular full-time employees, designated contract employees, and qualified beneficiaries of a plan as mandated by state or federal law. Regular part-time non-union employees who are scheduled to work at least 20 hours per week are eligible to participate in group health insurance only.

PROCEDURE:

1. The Summary Plan Description governing each benefit plan shall be maintained in the Human Resources Department. These documents are available for examination by any plan participant or beneficiary. The terms and conditions of the Summary Plan Description shall be controlling in all matters. The Plan Administrator shall have the discretion and authority to determine eligibility and benefits under the plan.
2. Eligibility to participate in any of the benefit plans shall be determined by labor contract or as authorized by the City Council.
3. Coverage in a benefit plan may require contribution from the eligible member. The amount contributed by the employee shall be determined by labor agreement or by the City Council, whichever is applicable. For purposes of calculating the insurance contribution rates under a self-insured program, the accrual rate as recommended by the insurance administrator shall be used. The Human Resources Department shall maintain information on contribution rates for all covered members.
4. Where employee contribution is required, such payment shall normally be made through payroll deduction so that payment is made by the due date of the first of the month for which coverage is applicable. In the event that such payroll deduction cannot be made, it is the responsibility of the employee or qualified member to make cash payment to the City Treasurer by the due date. Failure by the employee

or qualified member to make the required contribution within 31 days of the date payment is due shall result in termination of coverage.

5. The Human Resources Department shall provide information concerning benefits and eligibility for coverage under the plans to eligible employees and beneficiaries. Where applicable, a summary plan description (SPD) will be provided in a manner consistent with applicable laws. The SPD will be available on the Human Resources page of the City's web site at councilbluffs-ia.gov.
6. The date an employee is eligible for coverage and the date that coverage will terminate shall be as described in the Summary Plan Description. Information concerning continuation of coverage or conversion rights shall be available in the Human Resources Department.
7. No cash payment will be made to any employee in lieu of providing coverage under the group benefit plan.
8. In the event that two employees who are married to each other have elected family health or dental coverage carried by and through one of the employees, the required employee contribution rate for additional dependent coverage will be paid by the City in lieu of providing separate employee coverage in an amount not to exceed the cost of a single (employee only) plan. These employees shall be allowed to change coverage from a family plan to separate coverage without penalty.
9. Claims under the benefit plans must be filed on a form provided by the Claims Administrator. It shall be the employee's responsibility to notify the Human Resources Department in writing when a change of coverage is desired and to maintain current beneficiary designations.
10. A procedure for appealing a claim or administrative decision can be found in the Summary Plan Description. A copy of the appeal procedure can also be obtained from the Human Resources Department.
11. In the case of a personal leave of absence for more than 30 days, the employee's group coverage shall cease beginning with the first day of the month following the beginning date of the leave. However, the employee may maintain group coverage by paying the full cost of the insurance.
12. Failure by the employee to make timely payments as described in number 4 above will result in termination of group coverage.

City Personnel Policy

HOLIDAYS

POLICY: 504

Council approval: 03/29/2010

Pages: 3

POLICY:

It is the policy of the City to designate and observe certain days each year as holidays. Eligible employees will be given a day off with pay for each holiday observed.

APPLICABILITY:

All regular full-time and regular part-time non-union employees.

PROCEDURE:

1. Holidays Observed

A. The following holidays will be observed by the City:

New Years Day (January 1)	Veterans' Day (November 11)
Presidents' Day	Thanksgiving Day
Memorial Day	Friday after Thanksgiving
Independence Day (July 4)	Christmas Day (December 25)
Labor Day	Christmas Eve (December 24) *

B. Whenever any of the holidays listed above fall on Saturday, the preceding Friday shall be observed as the holiday. Whenever any of the holidays listed above fall on Sunday, the succeeding Monday shall be observed as the holiday. Employees in the Police and Fire Departments assigned to continuous operations shall observe the holiday on the actual day of the holiday.

C. * When Christmas Eve falls on a Monday, Tuesday, Wednesday or Thursday, it will be observed as a holiday. When Christmas Eve falls on Friday, Saturday, or Sunday eligible employees shall receive a floating holiday in lieu of the Christmas Eve holiday. The floating holiday must be taken in the same fiscal year it is earned.

2. Holiday Leave Benefits

- A. Definition. Holiday leave shall be defined as eight (8) hours of paid leave for regular full-time employees. Regular part-time employees shall receive holiday leave based on a pro-ratio of the number of regularly-scheduled work hours of the employee to the work hours of a full-time employee.
- B. All eligible employees shall be granted eight (8) hours holiday leave for each of the observed holidays. When an observed holiday falls on an employee's day off or the employee is required to work the holiday, the employee shall be granted holiday leave at another time, within the same fiscal year, to be mutually determined by the employee and employer.
- C. When a holiday falls within a period of paid leave, the holiday shall not be counted as a work day in computing the amount of leave debited. When a holiday falls within a period of leave of absence without pay, the employee shall not be paid for the holiday. Employees absent without leave on a work day immediately preceding or succeeding the observed holiday shall not be entitled to holiday pay.
- D. Police Supervisors. In lieu of the holiday and casual leave benefit provided other employees, Police Supervisory staff below the rank of Chief shall receive paid holidays totaling 88 hours which shall be taken as time off and/or pay at the discretion of the Police Chief.
 - (1) Payment for holidays shall be made the last payday in June in compensation for the fiscal year ending that June.
 - (2) Holiday compensation for an employee who terminates employment mid-year will be pro-rated.
- E. Fire Supervisors. Compensation for the holiday and casual leave benefit will be given either as paid leave or as an annual cash benefit depending on the work assignment of each employee.
 - (1) In lieu of paid leave, Fire Supervisory staff assigned to 24-hour work shifts shall receive 12 hours pay for each of the 10 named holidays occurring during the work assignment, plus 12 hours pay in lieu of the casual day given other employees.
 - (2) Fire Supervisory staff assigned to a 40-hour work week will be eligible for 8 hours of paid leave on each named holiday. At the employee's discretion the casual day(s) provided to other non-union employees may also be taken as paid leave. However, if this day is not used it will be converted to a 12 hour holiday and paid to the employee as described in #3 below.
 - (3) Payment for holidays not taken as leave shall be made the last payday in June in compensation for the fiscal year ending in that June. All holidays will be paid at the 56 hours rate.

- (4) An employee who terminates employment mid-year will be compensated only for those holiday hours that occurred during the employee's employment including the casual day if not previously taken as paid leave.

3. Premium Pay for Work Performed on a Holiday.

- A. If an employee is required by the employee's immediate supervisor to work on a holiday, in addition to holiday leave, such employee will be compensated at the rate of one and one-half (1½) times the employee's regular straight time rate of pay for all hours worked. This provision shall not be applied to Asst. Fire Chiefs working the 24 hour work shifts.
- B. To be eligible for premium holiday pay the majority of hours during an employee's work shift must fall on the observed holiday; and, the employee must either be scheduled to work the holiday or have the express permission of his/her immediate supervisor. All hours worked during such shift will be paid at the premium rate.
- C. There shall be no pyramiding or compounding of wages, overtime, or premium pay of any type. In the event that more than one rate would apply, the highest of such rates shall prevail.

City Personnel Policy

VACATIONS

POLICY: 505

Council approval: 12/02/2013 (Rev)

Pages: 2

POLICY:

It is the policy of the City to grant annual vacations with pay in accordance with the guidelines established below.

APPLICABILITY:

All regular full-time and regular part-time non-union employees.

PROCEDURE:

1. Unless provided otherwise, all full-time employees will accrue annual paid vacation according to the following schedule:

<u>Service Period</u>	<u>Accrual Rate</u>
0 to 6 years	80 hours per year
6 to 13 years	120 hours per year
13 to 19 years	160 hours per year
Over 19 years	200 hours per year

2. **Assistant Fire Chiefs.** Vacation leave benefits for Fire Assistant Chiefs assigned to a 56-hour work shift shall accrue at the rate of 72 hours of leave for each 40 hours of vacation in the schedule provided in #1 above.
 - A. An employee who is transferred from a 56-hour work schedule to a 40-hour work schedule shall have his/her vacation accumulation adjusted by dividing his/her 56-hour accumulation by 72 and multiplying the result of this calculation by 40.
 - B. An employee transferred from a 40-hour work schedule to a 56-hour work schedule shall have his/her vacation accumulation adjusted by dividing the 40-hour accumulation by 40 and multiplying the result of this calculation by 72.
 - C. Upon termination the vacation balance of the 56-hour employee will be converted to a 40-hour benefit and paid at the pay grade for Fire Assistant Chiefs working a 40-hour schedule.

3. Executive, administrative and professional employees as designated by the Mayor shall be able to take vacation as it accrues. All other employees are eligible to use vacation only after completion of the probationary period.
4. Total accrued but unused vacation for an employee shall not at any time exceed twice their accrual rate. Upon separation from employment, compensation for unused vacation leave shall be made.
5. Effective 7-1-14 the vacation limit in #4 above shall be reduced to the employee's annual accumulation plus 80 hours. This provision shall not apply to Police and Fire Supervisory employees and employees who are "Grandfathered" as described in #6 below. (Police Supervisory and Fire Supervisory – see Appendix B).
6. The limits described in #4 above shall continue to apply to employees who were age 55 or older with at least 25 years' service with the City as of June 30, 2012.
7. Vacation credits shall not accrue for any hour during a pay period in which an employee is absent without leave, is on an unpaid leave of absence which exceeds thirty calendar days; or, is on terminal leave.
8. Vacation leave for regular part-time employees shall be prorated based on the ratio of regularly scheduled work hours of the employee to those of full-time employees.
9. Unless otherwise provided, vacation must be charged as used, in amounts not less than one hour. All vacation leave must be approved by the Department Head and filed in the prescribed manner on a City leave request form.
10. Vacation pay for all employees will consist of the employee's regular rate of pay for the vacation period.
11. Department Heads reserve the right to designate when some or all vacations can be taken. Supervisors are responsible for ensuring adequate staffing levels and should attempt, when feasible, to resolve vacation scheduling conflicts on a first-come first-served basis.

PERFECT ATTENDANCE COMPENSATION

POLICY: 506

Council approval: 03/29/2010

Pages: 1

POLICY:

It is the policy of the City that all regular full-time non-union employees are eligible to earn eight (8) hours pay at the straight time rate for each calendar quarter in which perfect attendance is recorded.

APPLICABILITY:

All regular full-time non-union employees.

PROCEDURE:

1. Recorded absences for funeral leave (immediate family) or jury duty will not prevent an employee from receiving perfect attendance leave.
2. An employee shall not be eligible for perfect attendance leave until the first full calendar quarter following completion of six (6) months' employment.
3. Payment will be made the last payday in July for all perfect attendance earned during the previous fiscal year. At the request of the employee and at the option of the Department Head, employees may receive paid leave in lieu of a cash payment.
4. Accrual of perfect attendance leave shall not exceed 32 hours.
5. Employees assigned to the Fire Supervisory pay scale shall not be eligible to use the Perfect Attendance benefit as paid leave. Payment of this benefit will be the straight time hourly rate established for 40-hour employees.
6. Upon termination, the employee shall be paid for all accrued perfect attendance leave earned through the last full calendar quarter.
7. Perfect attendance leave shall not accrue during a period of terminal leave.

City Personnel Policy

ABSENCE WITHOUT LEAVE

POLICY: 700

Council approval: 03/29/2010

Pages: 2

POLICY:

It is the policy of the City that any employee who is absent from duty without approval shall be considered absent without leave ("AWOL") and subject to discipline up to and including discharge.

APPLICABILITY:

All employees.

PROCEDURE:

1. Except in the case of a personal emergency or the need to be absent due to illness or injury, it is the employee's responsibility to obtain an approved leave prior to any absence from work.
2. In the case of illness, injury or a personal emergency it is the employee's responsibility to notify the supervisor in accordance with union contract provisions and/or departmental procedures. If no such provisions apply, the employee must notify his or her supervisor as early as possible but no later than 30 minutes after the work shift begins.
3. An emergency situation in which the employee is incapacitated to the extent that notification of the supervisor was not possible shall be looked at on an individual basis.
4. Employees who do not comply with items 1 or 2 above will be considered AWOL. Being AWOL shall subject the employee to discipline up to and including termination. Examples of absences where an employee may be considered AWOL include but are not limited to:
 - A. Reporting late or tardy for work;
 - B. Leaving assigned work area during working hours without approval;
 - C. Taking time off, having asked for leave but before the leave is approved;

- D. Failing to call in according to contract and/or departmental procedures and failing to appear for work at the scheduled time, whether a regular workday or an overtime assignment; or,
 - E. Failure to provide timely notice to the supervisor each day of a continuing absence due to illness or injury unless specific arrangements and documentation have been provided to make daily notice unnecessary.
5. A position is held upon the implied condition that the employee will diligently and faithfully perform the duties assigned. An employee who is AWOL for three or more consecutive work shifts (or a 24 hour work shift for employees working 24 hour shifts in the Fire Department) will be dismissed from City employment following the procedures outlined in [Personnel Policy 212:4, section 3F\(4\) Dismissal Procedures](#).

ABSENCE REPORTS AND LEAVE REQUESTS

POLICY: 701

Council approval: 03/29/2010

Pages: 2

POLICY:

Whenever an employee is not working during the employee's scheduled work hours, the employee must request leave on a leave form approved by the City (see Appendix "A" – F701-1, "Absence Report and Leave Request"). The leave form should identify the number of hours/minutes the employee is requesting leave and the type of leave being requested (vacation, sick or other). All employees are responsible for knowing their own leave balances. Supervisors will grant or deny leave based upon sound business reasons without regard as to whether the employee has the leave balance to cover the requested leave. Employees may be disciplined for requesting leave which they do not have.

APPLICABILITY:

All employees.

PROCEDURE:

1. All leave requests (vacation, sick, funeral, military, etc.) should be submitted to an employee's supervisor as far in advance of the requested leave time as possible or within guidelines set by the department. The amount of advance notice required will vary depending upon the circumstances, type of leave requested, contractual provisions, and departmental procedures.
 - A. Unless otherwise provided by union contract, there will be a one hour minimum usage for any type of paid leave except compensatory time off.
 - B. When leave is not taken in one hour increments, leave will be rounded to the nearest quarter of an hour.
2. A request for emergency or unplanned leave of any kind should be made to the employee's supervisor as provided by union contract or department procedure. If no such provision applies, the request must be made as early as possible, but no later than 30 minutes following the beginning of the work shift for which leave is needed.

3. If a request for emergency or unplanned leave cannot be immediately approved or denied, employees are expected to leave a phone number where they can be reached. The supervisor will process the request and respond to the employee within thirty (30) minutes of the employee's start time. If the employee does not receive a response within that time, the leave shall be considered granted, unless canceled thereafter. Supervisors should use their reasonable judgment as to the needs of the work place when granting or refusing a leave request.
4. Failure to comply with established notice requirements, union contract provisions, and departmental procedures may result in leave being denied and/or disciplinary action being taken.
5. All leave requests must be duly approved by the employee's supervisor or designee.
6. The supervisor shall be responsible for attaining additional approvals, if required (i.e. Department Head). Approved leave requests should be forwarded to the employee's payroll clerk for proper distribution and use in preparing payroll.
7. Employees who are required to complete a time sheet are responsible for making sure that all time absent from work is accurately recorded on the time sheet before signing this form.
8. Salaried employees determined to be exempt from FLSA overtime provisions who have exhausted applicable leave benefits may be allowed time off with pay in accordance with Department of Labor regulations. However, such leave must still be documented and approved on the City's leave request form.
9. An employee who provides false information of a material fact to obtain leave or otherwise uses leave benefits in a fraudulent manner will be subject to disciplinary action up to and including termination.

City Personnel Policy

ATTENDANCE

POLICY: 702

Council approval: 03/29/2010

Pages: 3

POLICY:

The City provides a sick leave benefit for the purpose of protecting the income of those employees who are unable to work due to illness or non job-related injury. The fact that such a benefit is provided does not relieve the employee of the basic job requirement that he/she be highly dependable; nor, does it relieve the employer of the responsibility to administer the sick leave program in a manner which is consistent with acceptable business practices on behalf of the public.

The City of Council Bluffs endeavors to hire only that number of employees that are essential to the operations of the City. Since each job is necessary to the proper functioning of the City, every employee must be depended upon. Habitual absenteeism is considered to be a serious problem which brings into question the dependability of an employee and corrective action must be taken by the City to reduce and/or eliminate such problems.

The City recognizes that absences due to sickness or emergency are sometimes beyond the control of the employee. The City does, however, expect a reasonable degree of regularity in attendance of all who work here, and corrective or disciplinary action will be taken for failure to comply with the City's attendance standards as outlined below.

APPLICABILITY:

All employees.

PROCEDURE:

1. The Human Resources Department will maintain records as to the number of days absent for each employee. This attendance record will become a permanent part of the employee's work record.
2. Based on each employee's attendance record, and to assure consistency throughout the City, the following steps in the Attendance Policy will be taken:

Step 1. Employees missing 24 hours, or 48 hours in the Fire Department, during the first six months of employment are subject to dismissal.

Step 2. Any employee who utilizes 24 hours of sick leave, or 48 hours of sick leave in the Fire Department, in any one calendar quarter will receive official notice from the Human Resources Department of his/her sick leave record.

A copy of said notice will be provided to the department head. This is an informational notice and not a reprimand.

Step 3. Any employee who utilizes 32 hours or more of sick leave, or 72 hours or more sick leave in the Fire Department, in any 2 consecutive calendar quarters shall receive a review of his/her sick leave record with his/her Department head or a designated representative who may take corrective action up to and including written reprimand.

Step 4. Any employee who utilizes 72 hours or more sick leave, or 120 hours or more sick leave in the Fire Department, in any four consecutive calendar quarters shall receive a review of his/her sick leave record with his/her Department head or a designated representative who may take corrective action up to and including dismissal.

* Note: For purposes of notification required in Steps 2 – 4, an absence which spans more than one calendar quarter shall be counted in the calendar quarter in which the absence began.

3. Absence resulting from the employee being hospitalized, absence due to an on-the-job injury, approved leave of absence, funeral leave, and suspensions will not be utilized in Steps #2 through #4. However, these absences remain a part of the work record and may be reviewed by the department head with the employee when the frequency, duration and/or reasons for such absence call into question the employee's dependability or availability for work.

Chronic illness and/or repeated hospitalizations which adversely affect the employee's ability to perform regular duties will be dealt with on an individual basis separately from the above mentioned situations. Employees who have repeated absences due to illness may be asked to take measures to have their health problems corrected. If the health problem is not corrected, it may result in termination.

4. Employee absences designated as Family Medical Leave or Military Leave will not be considered in any disciplinary action review and will not be utilized in Steps #2 through #4 above.
5. Copies of, or notice of, all written reprimands concerning attendance shall be forwarded to the Human Resources Department to be placed in the original personnel file.
6. When a Doctor's Certificate is required, the standard form provided by the City shall be used. (see Appendix "A" – F702-1, "City of Council Bluffs Doctor's Certificate Form")

An employee may be required at any time to furnish a Doctor's Certificate at the employee's cost from the attending physician for any absence chargeable to sick leave:

- A. For the purpose of verifying the nature of the illness or injury, or;

- B. Certifying the employee as able to return to work in the position held prior to the illness or injury.
7. The City may require a medical examination, at the City's cost, to ascertain or verify the physical or mental condition of an employee, where deemed necessary by the department head, for the proper conduct of City affairs.
 8. Abuse of sick leave or fraudulent use of sick leave shall be cause for disciplinary action which may include termination.
 9. Any employee utilizing sick leave on five separate occasions, or three occasions in the Fire Department, within four consecutive calendar quarters shall be required to furnish a Doctor's Certificate indicating the nature of the illness each time the employee takes such leave. The employee will be required to follow this policy for one year. After one year, the employee's attendance record will be reviewed and a determination made as to whether he/she will be required to continue to furnish the Doctor's Certificate. A Doctor's Certificate shall also be required by the department head whenever an employee utilizes sick leave for an off-duty injury.

A Doctor's Certificate shall be required for a sick leave absence of more than two consecutive days (or one 24-hour tour in the Fire Department). Any illness extended further shall require a Doctor's Certificate each pay period thereafter to be submitted to the department head, who shall forward the original to the Finance Department. These requirements may be waived only by written consent of the department head. After completion of the processing of the Doctor's certificate by the Finance Department, the original documentation shall be forwarded to the Human Resources Department to become a part of the employee's permanent file.

City Personnel Policy

COURT LEAVE

POLICY: 703

Council approval: 03/29/2010

Pages: 1

POLICY:

It is the policy of the City that any employee required to serve as a witness or juror in a federal, state, county, or city court or a litigant in a case resulting directly from the discharge of official duties as an employee shall be granted court leave with full pay to serve in that capacity.

APPLICABILITY:

All employees.

PROCEDURE:

1. Court leave will not be granted when the employee is testifying relative to other litigation to which the employee is a party; however, the employee may use another appropriate leave of absence in order to accommodate the need for time off for such service.
2. An employee summoned for witness or jury duty shall present to the employee's immediate supervisor the original summons or subpoena from the court. At the conclusion of such duty, the employee shall also present to the employee's immediate supervisor a signed statement from the clerk of the court, or other acceptable evidence, showing the actual time of attendance at court.
3. Fees received for jury duty in a federal, state, county, or city court; or, from sources other than the City shall be in addition to and irrespective of an employee's regular salary. No employee shall receive witness fees paid from City funds.

City Personnel Policy

FUNERAL LEAVE

POLICY: 704

Council approval: 03/29/2010

Pages: 1

POLICY:

It is the policy of the City to grant paid funeral leave in the event of a death in the immediate family of an employee or an employee's spouse.

APPLICABILITY:

All regular full-time and regular part-time non-union employees.

PROCEDURE:

1. For purposes of this policy, the term "immediate family" shall mean the employee or the employee spouse's father, mother, sister, brother, spouse, son, daughter, step-parents, half-brother, half-sister, step-children, grandparents and grandchildren.
2. In order to allow time to make household adjustments, funeral arrangements or to attend funeral services, regular full-time City employees may be allowed up to 24 hours of paid funeral leave. Assistant Fire Chiefs assigned to 24 hour shifts may be allowed up to 48 hours of funeral leave.
3. Additional time off may be granted upon request. Employees allowed additional time shall use either some form of leave which has been accumulated by them or the time shall be without pay.
4. The funeral leave for regular part-time employees shall be prorated based on the number of regularly scheduled work hours to full-time.

City Personnel Policy

FAMILY AND MEDICAL LEAVE ACT

POLICY: 705

Council approval: 03/29/2010

Pages: 6

POLICY:

It is the policy of the City to comply with the legal requirements and regulations of the Family and Medical Leave Act ("FMLA") which grants job-protected, unpaid, family medical leave to eligible employees for up to a combined total of 12 weeks (or up to a combined total of 26 weeks for a request involving item 6 below) in a 12-month period for:

1. The birth of the employee's child and care of the newborn;
2. Adoption or the foster care placement of a child with the employee and care of such child;
3. Care for the employee's spouse, son, daughter or parent who has a serious health condition; or
4. The employee's serious health condition that results in an inability to perform one or more of the essential functions of the employee's job.
5. The need for leave because of "any qualifying exigency" arising out of the fact that the employee's spouse, son, daughter, or parent is on active military duty or has been notified of an impending call to active military duty status in support of a contingency operation.
6. The care of the employee's spouse, son, daughter, parent, or next of kin when such relative is a covered service member who is recovering from a serious illness or injury sustained in the line of military duty or active duty in a single 12-month period.

If both spouses are employed by the City, they will be allowed up to 12 combined weeks of FMLA leave for items one, two, and parent under item three.

PURPOSE:

The intent of the FMLA is to allow employees to balance their work load and family life by taking reasonable unpaid leave for specific reasons listed above in a manner that accommodates the legitimate business interests of the City.

APPLICABILITY:

Any employee who: (1) has been employed by the City for at least 12 months; and (2) has worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave.

Calculation of hours worked in the prior 12-month period will include any time worked even though a break in service of 5 years or less has occurred. Time on active military service shall be counted as if the employee was at work regardless of the length of such break in service.

DEFINITIONS:

Serious Health Condition. For the purpose of this policy a serious health condition means an illness, injury, impairment, or physical or mental condition that involves either:

1. Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or,
2. Continuing treatment by a health care provider which includes any period of incapacity (i.e. inability to work, attend school or perform other regular daily activities) due to:
 - A. A health condition (including treatment or recovery) lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
 - (1) Treatment two or more times by or under the supervision of a health care provider within the first 30 days of incapacity; or
 - (2) One treatment by a health care provider with a continuing regimen of treatment.
 - B. Pregnancy or prenatal care. (A visit to the health care provider is not necessary for each absence.) or,
 - C. A chronic serious health condition which continues over an extended period of time, requires at least two visits per year to a health care provider, and may involve occasional episodes of incapacity (e.g., asthma, diabetes). A visit to a health care provider is not necessary for each absence; or,
 - D. A permanent or long-term condition for which treatment may not be effective (e.g., Alzheimer's, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; or,
 - E. Any absences to receive multiple treatments or restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g., chemotherapy or radiation treatment for cancer).

12-Month Period. The City's chosen benefit determination period for Family and Medical Leave consists of a rolling 12-month period measured backward from the beginning date of the requested leave.

Any Qualifying Exigency. This term is used to mean any need that falls under the following broad categories: (1) short-notice deployment; (2) military events and related activities; (3) childcare and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; and, (8) additional activities not encompassed in the other categories, but agreed to by the City and employee.

PROCEDURE:

1. **EMPLOYEE RESPONSIBILITIES.** Employees must give thirty (30) days' written advance notice to their Department Head of a need to take FMLA leave when it is foreseeable for the birth or placement of a child for adoption, or foster care, or for planned medical treatment. When unforeseen events occur that require FMLA leave, employees must give notice as soon as practicable, following usual and customary call-in procedures.

- A. Notice may be given either in person or by phone when medical emergencies are involved; and, may be given by a spouse or family member if the employee is unable to do so due to a serious health condition.
- B. Employees should notify their Department Head when any change occurs in the circumstances for which leave is being taken.
- C. Employees must provide timely medical certification on forms provided by the City for FMLA leave.
- D. The employee must continue to pay the employee's share of group insurance costs as outlined in item #9 which follows.
- E. The employee should advise the Department Head if FMLA leave is being requested to be taken intermittently.
- F. If the employee has been on FMLA leave for the employee's serious illness or injury, the employee will have to undergo a fitness-for-duty examination at the leave's end to certify that the employee is able to perform the job's essential functions with or without reasonable accommodation.
- G. An employee who takes intermittent leave must make a "reasonable effort" to schedule his or her leave to avoid unduly disrupting the City's operations.

2. **EMPLOYER RESPONSIBILITIES.**

- A. The City will designate in writing when paid leave will be counted toward the employee's family medical leave allotment.
- B. The City will notify the employee of the requirement to provide medical certification from a health care provider to support FMLA leave requests. This certification must be provided within fifteen (15) calendar days from the date the employer designates leave as FMLA leave and generally every 30 days thereafter. Forms can be obtained in the Human Resources Department and are also available on the Human Resources Department's web page at councilbluffs-ia.gov.

- C. The City may provide a statement of the employee's essential functions to the physician and request the physician's certification to specify what functions the employee cannot perform.
 - D. The City may directly contact the employee's health care provider for the purpose of authenticating and clarifying the medical certification.
 - E. No employee who has been absent for a serious health condition will be allowed to resume his/her normal job activities without a City Doctor's Certificate form from the attending physician indicating the employee can perform the essential functions of the job (with or without reasonable accommodation).
 - F. As per City Policy, should conditions warrant, the City may opt to have the employee examined by a City physician in order to determine the employee's fitness for duty. If this should be required, the City will pay the cost of the exam.
3. **INTERMITTENT LEAVE.** An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule to care for an immediate family member with a serious health condition or because of a serious health condition of the employee when "medically necessary".
- A. Medically necessary means there must be a medical need for the leave and the leave can best be accomplished through an intermittent or reduced leave schedule.
 - B. The employee may be required to transfer temporarily to a position with equivalent pay and benefits that better accommodates a recurring period of leave when the leave is planned based on scheduled medical treatment.
4. **ELIGIBILITY FOR PERFECT ATTENDANCE PAY.** The fact that an employee's absence has been designated as Family Medical Leave will not affect the employee's eligibility for pay or leave benefits awarded for Perfect Attendance. .
5. **ALTERNATIVE DUTY.** Time spent working an alternative duty assignment or limited duty assignment shall not be counted toward an employee's Family Medical Leave entitlement.
6. **USE OF PAID LEAVE.** The City will allow the employee to substitute any form of paid leave to which the employee would normally be eligible according to the terms and conditions of the applicable paid leave policy in lieu of any or all of the unpaid leave permitted by law. Absent any other eligible form of paid leave, the City will require the employee to utilize all accrued vacation and personal leave before taking unpaid leave. All leave, whether paid or unpaid will count toward the 12 (or 26) week limitation provided by the law.
7. **HOLIDAYS.** If an employee needs less than a full week of FMLA leave, and a holiday falls within the partial week of leave, the hours that the employee does not work on the holiday are not counted against the employee's FMLA leave entitlement.

8. **BENEFIT ACCRUAL.** All benefit accruals will cease beginning with the first pay period in which the employee is utilizing unpaid leave. Accrual will begin again when the employee resumes a paid status for an entire pay period. .
9. **GROUP INSURANCE.** The FMLA requires the City to allow employees to continue coverage under the City's group insurance plan for the duration of the leave.
 - A. In the case of paid FMLA leave, the City and the employee's share of health plan premiums will be paid in the customary manner by payroll deductions.
 - B. In the case of unpaid FMLA leave, employees will be required to remit the employee's share to the City Treasurer by the first of the month for which the coverage is being paid, subject to the grace period described below.
 - C. There is a thirty (30) day grace period after which coverage will be terminated if the employee has not paid the respective share of the premium. This should be carefully noted by the employee since it places upon the employee the responsibility of ensuring the continuation of health coverage during a period of unpaid leave.
 - D. In lieu of provisions B and C above, the employee may voluntarily make arrangements with the Human Resources Department to pre-pay the estimated amount that will be owed during the unpaid portion of the leave through payroll deduction during the paid portion of the leave; or, if necessary, to pay the amount owed through payroll deduction upon return from the unpaid leave. This method allows the employee to continue to pay for health premiums on a pre-tax basis.
 - E. If employee requests or allows coverage to lapse, coverage will be reinstated immediately upon return to active duty.
10. **RETURN TO WORK.** Upon return from FMLA leave, an employee must be restored to the employee's original job or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment, provided that the employee is able to perform the essential functions of the job. If the employee is unable to perform the essential job functions with, or without, reasonable accommodation, the employee has no right to be restored to his or her position, or to an equivalent position. .
 - A. The employee's use of FMLA leave cannot result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave. If an employee is on unpaid FMLA leave, other benefits, and accrual of benefits, shall be governed the same as any other unpaid City leave.
 - B. A key employee, defined as an employee who is salaried and is paid among the highest ten percent of the City's salaried and non-salaried FMLA eligible and non-eligible employees, may be denied reinstatement when it can be shown that substantial and grievous economic injury to City operations could occur should the key employee in question utilize FMLA leave. The Director of Human Resources will notify the employee making the FMLA leave request in writing if he/she has been designated as a key employee.

11. **HOW FMLA LEAVE INTERACTS WITH CITY PAID LEAVE.** The FMLA requires that the City allow an employee unpaid leave when he/she is eligible for FMLA leave, as described above. The law permits the City to require the employee to use accrued paid annual leave, sick leave, and/or Injury-on-the job leave which may be counted, concurrently, with FMLA leave. Accordingly, appropriate paid leave will be substituted by the City for unpaid FMLA leave and counted against the 12 week FMLA leave entitlement. In sum, an employee on FMLA leave will have his or her paid leave counted toward the 12 week FMLA allowance, until such paid leave has been exhausted. Any subsequent FMLA leave will be unpaid, up to a total of 12 weeks.
12. **DISCLAIMER.** If any provision of this policy conflicts with a provision of the FMLA or could be interpreted to provide a benefit greater than what is intended in the FMLA, the provision of the FMLA shall prevail and be applied.
13. **QUESTIONS.** Questions regarding the use of and qualifications for FMLA leave should be directed to the Human Resources Department.

City Personnel Policy

**LEAVE AS A REASONABLE ACCOMMODATION
UNDER THE AMERICANS WITH DISABILITIES ACT**

POLICY: 706

Council approval: 03/29/2010

Pages: 1

POLICY:

It is the policy of the City to comply with the Americans with Disabilities Act ("ADA") reasonable accommodation mandates. Employees who wish to take leave for medical treatment as a reasonable accommodation of a disability must request leave as soon as possible so the City and employee can engage in an interactive process of identifying what is a reasonable accommodation.

APPLICABILITY:

All employees.

PROCEDURE:

1. If the City has a legitimate business need to verify that an employee has a disability covered by the ADA, the employee must submit to a medical examination permitted by the ADA to verify the existence of a covered disability.
2. To qualify as a reasonable accommodation under the ADA, the medical leave must be likely to result in the employee returning to work within a reasonable time with or without reasonable accommodation. Indefinite leave is not a required accommodation by the ADA and will not be granted.
3. Leave will not be granted or extended if it results in an undue hardship to the City. If a reasonable accommodation other than leave is available, the City may choose that accommodation instead of leave, in accordance with the ADA.
4. Leave provided as a reasonable accommodation under the ADA shall run concurrently with leave designated as FMLA leave. A request for ADA leave beyond the 12 weeks of FMLA leave will be considered, but granted only if the leave does not result in an undue hardship to the City.

MILITARY LEAVE OF ABSENCE

POLICY: 707

Council approval: 03/29/2010

Pages: 1

POLICY:

It is the policy of the City that all City employees, except those employed temporarily for six months or less, who are members of the national guard, organized reserves, or any component part of the military, naval, air forces or nurse corps of this state or nation; or, who are or may be otherwise inducted into the military service of this state or nation; shall, when ordered by proper authority to active state or federal service, be entitled to a leave of absence from the employment for the period of such active state or federal service.

APPLICABILITY:

All employees.

PROCEDURE:

1. Employees should provide the City with as much notice possible of the need for military leave. Where possible orders to active state or federal military service should be provided before the leave begins but at a minimum such documentation must be provided at the conclusion of the leave.
2. Payment and benefits during military leave shall be as provided by state and federal code.
3. The Mayor may make a temporary appointment to fill any vacancy created by any military leave of absence.

PERSONAL LEAVE OF ABSENCE

POLICY: 708

Council approval: 03/29/2010

Pages: 2

POLICY:

It is the policy of the City to grant to eligible employees an unpaid personal leave of absence not to exceed one year in duration in order to attend to personal matters. Such leave will be approved by the Mayor when it can be demonstrated by the employee that an extended period of time away from the job would be in the best interests of both the employee and the City.

APPLICABILITY:

All regular full-time and regular part-time employees.

PROCEDURE:

1. When possible, requests for a personal leave of absence should be submitted to the Department Head by the employee thirty days prior to commencement or extension of the leave. The Department Head should forward the requests to the Mayor along with their recommendation. The decision of the Mayor shall be final.
2. A personal leave of absence shall not constitute a break in service; but, an absence of more than 30 days shall not be credited toward retirement or toward meeting the service requirements used to determine benefits or wages.
3. A personal leave of absence for more than thirty days during the probationary period shall not count as a part of that period, but the employee to whom such leave has been granted shall be allowed to complete the probationary period upon return from the leave.
4. All benefits shall cease to accrue to an employee on a personal leave of absence. In addition no uniform allowance, holiday pay, food allowance or car allowance will be paid to any employee who is on a personal leave of absence. The employee shall be entitled to any prorated amount of such pay due to the employee for the time worked prior to taking the leave.
5. Failure of the employee to report promptly for work at the expiration of the personal leave of absence shall be considered as a resignation without notice.

6. In the case of an unpaid leave of absence for more than 30 days, the employee's group coverage shall cease beginning with the first day of the month following the beginning date of the leave. However, the employee may maintain group coverage by paying the full cost of the insurance. Failure by the employee to make required payments within 31 days of the date payment is due shall result in termination of coverage.
7. A leave without pay for 30 days or less shall not delay or defer an employee's normal eligibility for a pay increase.

City Personnel Policy

SICK LEAVE

POLICY: 709

Council approval: 03/29/2010

Pages: 3

POLICY:

It is the policy of the City to grant paid sick leave in order to provide a recuperative period to employees who are unable to work because of a non-job related illness or injury; or, because of an illness or injury of an immediate family member as defined by this policy.

APPLICABILITY:

All regular full-time and regular part-time non-union employees.

PROCEDURE:

1. **Definitions.** For the purpose of this policy:

Family illness is defined as an injury to or illness of a member of the employee's immediate family.

Immediate family is defined as the employee's: spouse, parents, grandparents, children, brother or sister, step-parents, or step-children.

2. **Eligibility.**

A. All regular full-time and part-time employees except Department Heads are eligible for sick leave benefits after completion of six (6) months of consecutive employment with the City. Department Heads may utilize sick leave benefits immediately upon accrual.

B. Regular part-time employees shall be eligible for sick leave benefits based on the number of regularly scheduled work hours as compared to full-time.

3. **Accrual.**

A. All regular full-time employees will accrue eight (8) hours of sick leave per month worked (Asst. Fire Chiefs will accrue an amount equal to their subordinate employees in the Fire Union). Unused sick leave will be permitted to carry over from one year to the next; however, at no time shall the total amount of accumulated sick leave exceed 1,040 hours (1,440 hours for Asst. fire Chiefs assigned to the 56 hour work week). Accumulated sick leave acquired since July 1, 1993 will not be paid upon termination of employment for

any reason. All employees hired after July 1, 1993 will begin their accrual at zero hours of sick leave. Accrual will begin upon the date of hire.

- B. For part-time employees, the amount of sick leave to be accrued and the maximum amount of total sick leave accumulation shall be prorated based on the ratio of the number of regularly scheduled work hours of the employee to those of a full-time employee. Regular part-time employees hired after July 1, 1993 will begin sick leave accrual at zero hours of accumulation.

4. **Utilization.**

- A. Beginning the first day of an eligible absence resulting from a non job-related illness or injury, all regular full-time and regular part-time employees shall be eligible for sick pay at the rate of 100% of the employee's regular wage.
- B. Utilization of sick leave for family illness is limited to 16 hours per fiscal year for full-time employees; or, in the case of Assistant Fire Chiefs assigned to 24 hour shifts, 32 hours per fiscal year. Utilization of sick leave for family illness for eligible part-time employees shall be a prorated amount based on the ratio of the number of regular scheduled work hours of the employee to those of a full-time employee.
- C. No employee, either part-time or full-time, shall be entitled to utilize sick leave for injuries or illness connected with employment or self-employment. Employment shall be defined as working for wage or profit.
- D. Employees who have requested and been granted Family and Medical Leave will be eligible for paid sick leave to run concurrently with the Family Medical Leave provided that sick leave procedures are followed and eligibility requirement are met.

5. **Sick Leave Reporting and Verification.** Sick leave shall be reported and may be verified as follows:

- A. Reporting of absence on sick leave: If an employee is absent for reasons that entitle the employee to sick leave, the employee or a member of the employee's household shall notify the employee's supervisor by the earlier of (1) the time specified by department policy; or (2) within one-half (1/2) hour after the first person is scheduled to arrive. Immediately upon return to work, the employee shall submit a leave form to the employee's supervisor.
- B. Fraudulent use of sick leave: False or fraudulent use of sick leave shall be cause for disciplinary action.
- C. Medical statement: An employee who is absent on sick leave for more than two days because of his/her illness or that of a member of his/her immediate family, as defined in this policy, shall be required to furnish a statement signed by an attending physician. The City may require the statement for any absence chargeable to sick leave of any duration.
- D. Verification expenses: The employer will not be liable for any expenses

resulting from the doctor's verification.

- E. Medical examination: The employer may require a medical examination by a City physician to determine the eligibility of an employee to remain on sick leave or return to work. The cost of such examination will be paid by the City.
- 6. **Vacation Use for Sick Leave.** At the discretion of the Mayor, vacation or other paid leave may be used in the event of illness only after all sick leave has been used.
- 7. **Sick Leave Options.** All sick leave accrued by non-Department Head employees prior to July 1, 1978, and all Department Heads prior to July 27, 1992, shall vest with the employee and may be used in the following manner: Note: Bracketed figures represent requirements for all Assistant Fire Chiefs regardless of work schedule. For purposes of this policy, cash value for all sick leave vested with Assistant Fire Chiefs shall be computed by dividing their bi-weekly rate of pay by 112 hours.
 - A. By cashing in all accrued sick leave accumulated under the plan in effect prior to July 1, 1978, upon honorable separation from the City at a rate of 8 hours [24 hours] pay for each 32 hours [48 hours] of accrued sick leave. Department Heads may cash in all accrued sick leave at a rate of 8 hours pay for 16 hours of accrued sick leave back to 400 hours; the last 400 hours of accrued Department Head sick leave cannot be redeemed and will be lost to the employee.
 - B. By annually redeeming accrued sick leave at the rate of 8 hours [24 hours] pay for 24 hours [48 hours] of accrued sick leave up to a maximum of 80 hours [96 hours] pay annually. Department Heads may redeem at the rate of 8 hours pay for 16 hours of accrued sick leave up to a maximum of 80 hours of pay annually. Department Heads will be considered to have redeemed all accrued sick leave when their accrued sick leave reaches 400 hours; the last 400 hours will be lost to the employee.

City Personnel Policy

TERMINAL LEAVE

POLICY: 710

Council approval: 03/29/2010

Pages: 1

POLICY:

It is the policy of the City that all employees who have given notice of their intent to terminate employment on a specific date; or, do not return to active employment after a paid or unpaid leave of absence for any reason shall be placed on terminal leave status.

APPLICABILITY:

All regular full-time and regular part-time non-union employees.

PROCEDURE:

1. Terminal Leave Shall Begin:

- A. On the last day of active employment after an employee gives written notice of their intent to terminate employment and does not return to work.
- B. In the event an employee fails to return to work from a leave of absence for any reason, terminal leave will be considered to have started on the first day of the leave of absence.

2. Terminal Leave Shall End:

- A. When the employee is terminated.
 - B. After the employee returns to active employment for a period of sixty calendar days. The employee shall receive all accrued benefits that he/she would otherwise have been entitled to had the employee not been placed on terminal leave.
3. Employees on terminal leave shall not be eligible to accumulate additional leave of any kind i.e. vacation, casual leave, administrative leave, perfect attendance (leave or pay) etc.

Any cash benefits, i.e. holiday pay, food allowance, etc., which may be received by an employee while on terminal leave must be refunded to the City. The employee shall be entitled to any prorated amount of such benefits due to the employee for the time worked prior to terminal leave.

City Personnel Policy

VOTE TIME

POLICY: 711

Council approval: 03/29/2010

Pages: 1

POLICY:

It is the policy of the City that any person entitled to vote at a general election in this state; and, who does not have three consecutive hours in the period between the time of the opening and closing of the polls during which the employee is not required to be present at work, shall be entitled to such time off from work to vote as will, in addition to the employee's nonworking time, total three consecutive hours during the time the polls are open.

APPLICABILITY:

All employees.

PROCEDURE:

1. Application by any employee for a leave of absence to vote shall be made individually and in writing prior to the date of the election.
2. Any employee utilizing an approved leave of absence to vote shall not be liable to any penalty; nor, shall any deduction be made from the employee's regular salary or wages.
3. The Department Head shall designate the period of time to be taken.

City Personnel Policy

LEAVE DONATIONS FOR CATASTROPHIC ILLNESS OR INJURY

POLICY: 712

Council approval: 12/02/2013

Pages: 3

POLICY:

The City will allow employees an opportunity to donate accumulated leave to an employee who is suffering from a catastrophic illness or injury and has exhausted all forms of paid leave for which the employee is eligible.

APPLICABILITY:

All regular full-time or regular part-time employees are eligible to receive or donate leave as described below except that when an alternative procedure has been negotiated in an applicable labor contract, the contract provision shall apply instead.

DEFINITIONS:

Catastrophic illness or injury is a serious, debilitating illness or injury that is expected to incapacitate the employee for an extended period of time. Chronic conditions associated with the debilitating illness or injury that result in intermittent absences from work may be considered catastrophic (i.e., among others, cancer, AIDS, residual effects of a stroke, etc.).

Donated leave is the permanent transfer of accrued leave from approved sources to a recipient employee's sick leave bank. Donated leave must come from accumulated leave that would normally have a cash value upon the employee's termination (i.e. vacation leave, perfect attendance leave, holiday or casual leave). Donation of compensatory time off or sick leave will not be allowed.

Recipient employee is an employee whose request for donated leave has been approved by the Mayor. The employee must have used all forms of paid leave including sick leave, vacation, holiday, perfect attendance, casual leave, holidays, and compensatory time off for which he/she is eligible and be unable to return to work due to a catastrophic illness or injury.

PROCEDURES:

A. Restrictions on donated leave.

1. Donated leave for catastrophic injury or illness will only be allowed when:
 - a. The employee has a reasonable expectation of returning to work in 90 calendar days or less; or,
 - b. To provide the employee with financial support until the employee qualifies for long-term disability benefits or pension benefits.
2. In no circumstances will the total of all donations exceed 90 calendar days of paid leave for any one illness or injury, or complication arising from the same illness or injury.

B. Requesting donated leave.

1. An employee requesting donated leave may submit a written request to the employee's Department Head no earlier than 30 calendar days prior to the date it is projected that all leave will be depleted. The request should explain the nature and extent of the catastrophic illness or injury. The request will be treated as a confidential document.
2. If the Department Head and Mayor approve the request, notice will be sent to all employees stating that a fellow employee is in need of assistance and all employees will be given the chance to make a donation on a form provided by Human Resources.
3. The recipient employee will not accumulate additional paid leave while using donated leave, including perfect attendance.
4. The recipient employee will earn service credit toward retirement and seniority while on catastrophic leave in the same manner as paid sick leave time.
5. Donated leave for a catastrophic illness or injury cannot be used retroactively for a previous unpaid absence.
6. Donated leave may not be used to extend a date of retirement.
7. Donated leave time is subject to the recipient employee's normal payroll deductions and is subject to all taxes as required by law.

C. Making a leave donation.

1. Donating leave for the catastrophic illness or injury program is on a strictly voluntary basis. No employee shall be coerced, threatened, intimidated, or financially-induced into donating paid leave time to any employee.
2. The donor will remain anonymous unless the donor chooses otherwise.
3. Persons involved in the administration of this program are responsible for guarding the privacy of the participants.
4. Each donation must be directed to a specific eligible employee for whom a request has been made.

5. The donor employee must complete the form provided for donating leave and submit it to the Human Resources Department.
6. A list of the donors will be made in the order that donations were received. Donated leave will be credited to the employee from the list on a rotating basis, charging each donor 4 hours per round, until all such donations have been credited or are no longer needed.
7. The actual debiting and crediting of leave will be done at four (4) week intervals until the all eligible donations have been transferred or are no longer needed.
8. Employees will be notified by the Human Resources Department at the time the donation transfer is made. Once the leave is transferred it is irrevocable.
9. Donations are not tax-deductible for the donating employee.
10. Donations will normally be made on an hour-for-hour basis without regard to the pay rate of the donor or recipient.
11. Donations involving an employee on a 56-hour work week and an employee on a 40-hour work week will be pro-rated based on eight (8) hours for a 40-hour employee equaling 12 hours for a 56-hour employee.
12. Donations must be given in blocks of four (4) hours.

WORK RULES/STANDARDS OF CONDUCT

POLICY: 800

Council approval: 12/02/2013 (Rev)

Pages: 4

POLICY:

The orderly and efficient operation of the City requires that certain work rules be established. Work rules covering personal standards of conduct as well as standard operating procedures are necessary to protect the health and safety of all employees, maintain uninterrupted services, and protect the City's good will and property. Employees must behave in a manner that is consistent with the efficient operation of the City and which will contribute to the benefit and safety of all employees and the general public. Violation of the City's work rules shall subject employees to disciplinary action up to and including termination.

APPLICABILITY:

All employees

PROCEDURE:

The following work rules/standards of conduct are hereby established. These rules are not intended to be all inclusive and should be interpreted to include other offenses similar in nature but not listed. The City shall, when it deems appropriate, establish additional rules to ensure effective operation of the City.

1. Employees shall report to work punctually as scheduled and be at the proper work station, ready for work at the assigned starting time.
2. Employees must remain at work until the scheduled quitting time, unless permission to leave earlier is granted by the employee's supervisor.
3. Employees shall provide proper notice to their supervisor when the employee will be absent from work or is unable to report for work on time.
4. Employees must comply with all City safety regulations and immediately report accidents or injuries to their supervisor.
5. Employees shall smoke only at times and in places not prohibited by City policy or local ordinances.
6. Employees shall wear clothing appropriate for the work being performed.

7. When employees are required to wear a uniform the uniform shall be worn in accordance with department policy, standard operating procedures, and applicable contract provisions.
8. Employees shall maintain work place and work area cleanliness and orderliness.
9. Employees shall treat members of the public and fellow employees in a courteous, professional manner.
10. Conduct that interferes with operations, discredits the City, or is offensive to the public or fellow employees will not be tolerated.
11. Employees shall perform assigned tasks efficiently and in accordance with established quality standards.
12. Employees shall report to management suspicious, unethical, or illegal conduct by fellow employees, suppliers, contractors, or citizens utilizing City services.
13. Employees shall maintain licenses, certificates, permits, or other credentials required by the City.
14. Employees shall immediately report the loss or revocation of any required license or credential to their direct supervisor.
15. Employees shall make themselves available to participate fully and honestly in all administrative investigations and be completely honest in said investigations.
16. Employees shall report for and remain at work only when able to safely perform their job duties.
17. Employees are prohibited from reporting to work under the influence of alcoholic beverages and/or illegal drugs and narcotics; they shall not use, sell, dispense, or possess alcoholic beverages and/or illegal drugs and narcotics on City premises or while on duty (exception: for job duties requiring the legal sale of alcohol).
18. Employees shall not possess firearms or other weapons on City property or on their person unless specifically authorized by their Department Head to do so in the performance of their job.
19. Employees shall obey lawful orders or directions from authorized supervisors. Failure to do this shall constitute insubordination.
20. Employees shall not fight, engage in horseplay, participate in hazing, gamble, use abusive language or profanity; assault another employee or citizen, including sexual assault, while on duty or on City premises.
21. Employees shall not harass, discriminate or retaliate against any employee or citizen. This includes engaging in any form of sexual and/or discriminatory harassment.

22. Employees shall not falsify or alter any City record or report, such as an application for employment, a medical report, a production record, a payment record, a time record, an expense account, or an absence report.
23. Employees shall not threaten or intimidate management, supervisors, or fellow workers or citizens.
24. Employees shall not sleep on the job unless authorized by management.
25. Employees shall not loaf, loiter, waste time, or engage in unauthorized personal business to the detriment of job performance.
26. Employees shall wear assigned safety equipment and abide by safety rules and policies.
27. Employees shall wear proper attire and have an appropriate personal appearance.
28. Employees shall not convert any City equipment or materials for personal use.
29. Employees shall not engage in theft, vandalism, or misuse of City property.
30. Employees shall not engage in negligent or careless operation or maintenance of equipment, or unsafe practices which endanger the subject employees, other employees, or the public.
31. Employees shall not disclose confidential information from official records except as authorized by law or policy.
32. Employees shall not use their official positions or authority for personal profit or advantage or to coerce or abuse another employee.
33. Employees shall not accept a gift or valuable consideration that has the appearance of or is actually being given with the intent of influencing the employee in the performance of official duties.
34. Employees shall not commit any act that would cause them to be convicted of a felony or misdemeanor involving moral turpitude. See Policy 212, Termination of Employment, F. (2) (h).
35. An employee must not commit acts that are unbecoming to an employee of the City of Council Bluffs, discredits the City, or is offensive to the public or fellow employees. This shall include violations of federal, state, and local laws that govern moral turpitude or directly relate to the employee's ability to perform his/her job. See Policy 212 Termination of Employment, F. (2) (h).
36. An employee shall not work overtime without prior approval of the employee's immediate supervisor (non-exempt employees only).
37. Employees shall not receive compensation for services not rendered to the City.
38. Employees shall not abuse legitimate grievance processes resulting in repeated unsubstantiated claims.

39. Employees shall not engage in unapproved soliciting or any partisan political activity while on the job.
40. Employees must meet residency requirements established by the City or by state law. For all Civil Service Iowa residency, the meaning of the word "resident" shall mean to actually live in Iowa. It shall not be satisfactory to have merely a mailing address or telephone in Iowa. Registration for voting, of motor vehicles, and for homestead exemption shall be considered evidence of residency, but they shall not be controlling, absent a clearly expressed intent to establish a principle place of abode in Iowa. A new employee will be allowed time to establish Iowa residency as provided in Chapter 400, Code of Iowa.
41. It is the responsibility of every employee to read and comply with any work rules governing department operations whether the information is communicated via bulletin boards, interoffice memos or emails; SOP Manual or any other directive.

City Personnel Policy

**CONFLICT OF INTEREST IN THE AWARD AND ADMINISTRATION OF
PUBLIC CONTRACTS: CODE OF CONDUCT**

POLICY: 801

Council approval: 12/02/2013 (Rev)

Pages: 2

POLICY:

It is the policy of the City that public contracts are to be awarded and administered in a fair and impartial manner and in the best interests of the City. City officials or employees involved in the award or administration of public contracts or the commitment to provide goods and services shall avoid conflicts of interest and the appearance of such conflicts in dealing with such contracts, goods, and services.

APPLICABILITY:

All employees.

PROCEDURE:

1. No employee, officer, or agent of the City shall participate in selection, or in the award or administration of a contract supported by public funds if a conflict of interest, real or apparent, would be involved.

Such a conflict would arise when any of those listed below have a financial or other interest in the firm selected for award:

- A. The employee, officer, or agent;
- B. Any member of the employee's immediate family (the employee or the employee spouse's father, mother, sister, brother, spouse, son, daughter, step-parents, half-brother, half-sister, step-children, grandparents and grandchildren);
- C. The employee's partner; or,
- D. An organization which employs, or is about to employ, any of the above.

2. Except for the extent permitted by state or local law or regulations, officers, employees or agents shall neither solicit nor accept gratuities, favors, or anything of intrinsic value from contractors or suppliers, potential contractors or suppliers, or parties to sub agreements.
3. If this code of conduct is violated, penalties, sanctions or disciplinary action as provided in state or local law or regulations shall be enforced.

City Personnel Policy

DISCIPLINARY PROCEDURE

POLICY: 802

Pages: 3

Council approval: 03/29/2010

POLICY:

It is the policy of the City that all employees are expected to comply with the City's standards of behavior and performance and that any noncompliance with these standards must be remedied; and, the employee will be subject to progressive discipline.

APPLICABILITY:

All regular full-time and part-time employees.

PROCEDURE:

1. If an employee is not meeting City standards of behavior or performance, the employee's supervisor should take the following actions:
 - A. Meet with the employee to discuss the matter; and,
 - B. Inform the employee of the nature of the problem and the action necessary to correct it; and,
 - C. Prepare a memorandum for the supervisor's own records indicating that the meeting has taken place.
2. If there is a second occurrence, or if the offense is of a serious nature and would warrant more than a verbal reprimand, the supervisor should hold a meeting with the employee and take the following actions:
 - A. Issue a written reprimand to the employee; and,
 - B. Warn the employee that continuation of this problem will result in more severe disciplinary action.
3. If there are additional occurrences, the supervisor or department head should take the following actions:
 - A. Issue a written reprimand or warning; and,
 - B. Suspend the employee without pay; or,

- C. Suspend the employee indefinitely and recommend termination; or,
 - D. Recommend demotion of the employee.
4. The progressive disciplinary procedures described in Procedures 1 - 3 may be applied to an employee who is experiencing a series of unrelated problems involving job performance and/or behavior.
 5. In cases involving serious misconduct, the procedures contained in (1), (2), and (3), above, may be disregarded. The supervisor may suspend the employee and, if appropriate, recommend termination. The employee may be suspended with or without pay pending the outcome of an investigation if, in the opinion of the Mayor, such suspension is in the best interests of the City.
 6. Usually an employee may be suspended without pay for a period or periods not to exceed thirty calendar days (176 hours for employees working a 40-hour week or 240 hours for Fire employees working a 56-hour week). An employee who has exceeded this number of hours of suspensions in any consecutive twelve-month period may be subject to dismissal. However, an employee may be suspended without pay indefinitely if the employee has been indicted for a felony or for a misdemeanor involving moral turpitude provided that the suspension shall be terminated by restoration to the service or by dismissal as soon as the decision of the court is known. If the employee is restored to the position, the employee may receive full compensation for the entire period of suspension.
 7. The employee shall be given written notice of the suspension and shall receive a written statement of the reasons for suspension within seven calendar days of the suspension. Said statement shall be mailed to the employee's address.
 8. Employees exempt from the overtime provisions of the Fair Labor Standards Act may be suspended without pay for a period of one work day or more for major violations of safety rules or violations of work conduct rules. In the case where an unpaid suspension is warranted for a reason other than violation of safety or work conduct rules, the unpaid suspension can be made in increments equal to one work week or, in lieu of an unpaid suspension, the employee's current or future vacation leave bank can be debited in the amount of the desired suspension.
 9. Prior to an employee termination, there shall be an investigation. At any investigatory interview conducted for the purpose of determining the facts involved in any suspected violation of City policy or regulations, the following procedures apply:
 - A. Prior to the interview the employee who is suspected of violating City policy and regulation must be told in general terms what the interview is about; and,
 - B. If the employee is represented by a union, the employee has the right to have a union representative present at the interview, provided the employee requests such representation; and,

- C. If the employee is not represented by a union, the employee may have a co-worker present at the interview, provided the employee so requests and further provided the employee's interview covers issues affecting other employees; and,
 - D. If the employee is represented by an attorney, the employee may have the attorney present at the interview; and
 - E. Where applicable, formal administrative investigations conducted by the Police and Fire Departments shall be done in accordance with Chapter 80F1, Code of Iowa, Peace Officer, Public Safety and Emergency Personnel Bill of Rights.
- 10. Employees suspended from work will not receive or accrue any sick leave or vacation benefits during the suspension. In addition, the employee will forfeit any perfect attendance pay/leave for the period during which the suspension occurs.
 - 11. Employees who believe they have been disciplined too severely or without cause may elect to utilize any one of the grievance procedures available to them i.e. union contracts, Iowa Code Chapter 400, and Policy 900, Grievance Procedure, contained in the Personnel Policy manual.
 - 12. If a formal administrative investigation conducted under Iowa Code, Chapter 80F1 results in disciplinary action against a covered officer and the officer alleges in writing a violation of the provisions of this section, the City shall hold in abeyance for a period of ten days any punitive action as a result of the investigation, including a reprimand.

City Personnel Policy

**SEXUAL AND OTHER
DISCRIMINATORY HARASSMENT PROHIBITED**

POLICY: 803

Council approval: 03/29/2010

Pages: 5

POLICY:

The City is committed to providing a workplace that is free from sexual and other discriminatory harassment. Employees are strictly prohibited from harassing anyone because of their sex, race, color, age, national origin, religion, creed, physical or mental disability, sexual orientation or gender identity. Employees also must not harass someone for opposing discrimination or for participating in the discrimination complaint process. Acts of sexual and other discriminatory harassment will not be tolerated by the City.

All employees are expected to take appropriate measures to prevent sexual and other discriminatory harassment. Employees who believe they are being harassed for one of the reasons listed above or who witness potential harassment must report the offending conduct so that it can be stopped before it becomes severe or pervasive and rises to a possible violation of law.

APPLICABILITY:

All employees, as well as those serving on appointed boards and commissions, whether compensated or uncompensated; and, any one representing the City in any and all interactions with the public.

The conduct prohibited by this policy is unacceptable in the work place and in any work-related setting outside of the work place, such as during business trips, business meetings, and business-related social events.

PROCEDURE:

SEXUAL HARASSMENT

1. The term "sexual harassment" refers to unwelcome sexual advances, requests for sexual favors, other verbal or physical conduct of a sexual nature or based on an individual's sex when:
 - A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or,
 - B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or;

- C. The conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.
2. Examples of conduct which may constitute sexual harassment: (These are merely examples and are not exhaustive of all types and forms of sexual harassment.)
- A. Requesting or offering sexual favors (express or implied) in return for providing job benefits.
 - B. Threatening (express or implied) to terminate, demote, not promote or alter duties (or causing same to occur) if sexual favors are not provided.
 - C. Unnecessary touching including cornering or brushing up against another person's body.
 - D. Open speculation or inquiries about a person's sex life.
 - E. Jokes, remarks, or innuendos that are sexual in nature about another person or such comments about women and men in general which result in an intimidating, hostile or offensive work environment.
 - F. Sabotaging the victim's work.
 - G. Engaging in hostile physical conduct.
 - H. Using crude and offensive language or gestures.
 - I. Presenting, promoting, or failing to discourage the presence in the work place or by electronic means of art, humor, conduct, conversation, or literature of a sexual nature, particularly if it is vulgar, offensive, demeaning or insensitive in tone.
 - J. Display of sexually-explicit material in the workplace.
3. Sexual harassment may occur even if it leads to no tangible or economic job consequences or the offender lacks the authority to carry out the threat or benefit.
4. Sexual harassment can be physical or verbal in nature. A series of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing.
5. Sexual harassment can involve males or females being harassed by members of either sex.
6. Sexual harassment typically involves a person in a greater position of authority. However, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited harassment.

7. The victim of harassment does not have to be the person harassed but could be anyone affected by the offensive conduct.
8. Sexual harassment may exist when the conduct that occurred is because of the gender of the harassed employee and is not sexual in nature.

OTHER TYPES OF DISCRIMINATORY HARASSMENT.

1. The term “discriminatory harassment” refers to verbal or physical conduct that denigrates or shows hostility toward an individual because of his/her race, color, age, disability, national origin, religion, creed, sexual orientation, gender identity, or having filed a discrimination complaint or cooperated in an investigation of a discrimination complaint.
2. Examples of conduct that may constitute discriminatory harassment: (These are merely examples and are not exhaustive of all types of and forms of discriminatory harassment.)
 - A. Abusing the dignity of an employee through insulting or degrading remarks or conduct.
 - B. Subjecting an employee to demeaning and/or degrading activities in order to gain co-worker acceptance, e.g., hazing.
 - C. Threats, demands, or suggestions that an employee’s work status is contingent on the employee’s tolerance of the behavior described in A. and B.
 - D. Disciplining or terminating an employee because of worker incompatibility which is caused by prohibited behavior, e.g., prejudiced or biased behavior.
 - E. Epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and the display or circulation in the work place of written or graphic material that denigrates or shows hostility or aversion toward an individual or a group (including through e-mail).
3. Discriminatory harassment is not necessarily limited to the loss of a job or some other economic benefit. Harassment that impairs an employee’s working ability or emotional well-being at work violates this policy and will not be tolerated by the City.
4. Harassment based on the perception that anyone has any of the protected characteristics listed above, or is associated with a person who has or is perceived as having any of those characteristics is also prohibited.

REPORTING SEXUAL OR OTHER DISCRIMINATORY HARASSMENT

1. Any employee who believes that he or she has been subjected to sexual harassment or discriminatory harassment is encouraged to inform the offending person orally or in writing that such conduct is unwelcome and offensive and must stop.
2. If the employee does not wish to communicate directly with the offending person, or if such communication has not been effective, the employee has multiple avenues for reporting allegations of sexual or discriminatory harassment and pursuing resolution:
 - A. The employee should report the incident(s) to someone in a management capacity with whom they are comfortable. This could be someone in the supervisory chain of command above the employee, the Human Resources Department, or the City Attorney's Office.
 - B. A supervisor or other management official who is informed of an incident of possible sexual or discriminatory harassment, witnesses such conduct or has a reasonable suspicion concerning the same shall immediately report this information to the City Attorney's Office.
 - C. Failure to report employee complaints, personal observations or reasonable suspicions concerning sexual or discriminatory harassment incidents will be considered a violation of this policy and may result in disciplinary action.
3. The City Attorney's Office shall make a prompt and thorough investigation of all complaints.
 - A. All employees, supervisory, and management representatives must cooperate fully with the investigation of a sexual harassment or discriminatory harassment complaint.
 - B. Absolute confidentiality cannot be guaranteed. However, every effort will be made to handle all complaints and investigations with as much discretion and confidentiality as circumstances permit with the concerns of the complaining employee being paramount.
4. The City shall take appropriate action based on the results of the investigation with the goal of immediately eliminating any discriminatory conduct and making sure that such conduct does not take place in the future.
5. The City will not tolerate any retaliation against any employee for making a complaint, bringing inappropriate conduct to the City's attention, or for participating in an investigation of an alleged act of harassment.

PENALTIES FOR VIOLATION OF DISCRIMINATORY HARASSMENT POLICY

The following individuals will be subject to disciplinary action up to and including termination of employment:

1. Any individual covered by this policy who engages in any form of harassment prohibited by this policy; or,
2. Any individual covered by this policy who retaliates against an individual who has complained of harassment; or, someone who cooperates in an investigation of harassment; or, one who investigates a complaint of harassment; or,
3. Any Department Head or supervisor who fails to act on an employee complaint or on direct or indirect personal knowledge of harassment.

TRAINING - SEXUAL AND OTHER DISCRIMINATORY HARASSMENT POLICY

The City shall provide all employees with Sexual and Discriminatory Harassment training which will include a discussion of the employee's rights and responsibilities under this policy and the consequences of policy violations.

1. A copy of this policy shall be given to every employee at the time it is adopted.
2. New employees shall receive a copy of this policy and undergo sexual/discriminatory harassment training within 90 days of employment.
3. All employees will be provided with a copy of this policy and undergo sexual/discriminatory harassment training at least once every four (4) years.
4. Additional copies of this policy are available at any time through the Human Resources office. This policy shall also be available on the City's web site at www.councilbluffs-ia.gov (link to Human Resources/Policy).
5. Other information about civil rights and redress is available on the City's web site in the Legal Department Section under "Civil Rights Commission".

POSTING

This policy shall be posted in conspicuous places throughout each department; and shall be distributed to all individuals covered by this policy, unions representing individuals covered by this policy, City used recruiting sources and City vendors.

City Personnel Policy

USE OF DRUGS, NARCOTICS AND ALCOHOL

POLICY: 804

Council approval: 03/29/2010

Pages: 7

POLICY:

It is the policy of the City to prohibit the use, sale, dispensing, possession, or manufacture of illegal drugs and narcotics or alcoholic beverages on its premises. This prohibition also covers all legal or prescription drugs which impair an employee's ability to perform his job safely or properly.

APPLICABILITY:

All employees.

PURPOSE:

It is the intention of this policy to eliminate substance abuse and its effects in the work place. While the City of Council Bluffs has no intention of intruding into the private lives of its employees, involvement with drugs and alcohol off the job can take its toll on job performance and employee safety. The City's concern is that employees are in a condition to perform their duties safely and efficiently, in the interests of their fellow workers and the public as well as themselves. The presence of drugs and alcohol on the job, and the influence of these substances on employees during working hours, are inconsistent with this objective.

As an agency covered by the Drug Free Workplace Act it is intended that this policy will meet the requirements of this law in order to protect the City's status as a responsible source for the award of federal contacts.

PROCEDURE:

1. General Provisions.

- A. Except as otherwise provided by state and federal law the City will not hire alcoholics or drug abusers whose current use of such substances prevent them from performing their jobs or who would constitute a direct threat to the property or safety of others. Whenever applicants for employment are to be tested for the presence of such substances, they are to be informed of the test in advance
- B. Employees will be subject to disciplinary action, up to and including dismissal for the first offense, for bringing illegal, non-prescribed drugs and narcotics or alcoholic beverages to work; being under the influence of such substances while working; using them while working; or dispensing, distributing, or illegally manufacturing or selling them on City premises and work sites. Employees,

their possessions, and City issued equipment and containers under their control are subject to search and surveillance at all times while on City premises or while conducting City business.

- C. While on duty employees may be required to take a test at any time that there is reasonable suspicion of the employee being under the influence of drugs and/or alcohol to determine the presence of drugs, narcotics, or alcohol. Refusal to submit immediately to an alcohol or drug analysis when requested by City management or law enforcement personnel may constitute insubordination and may be grounds for discipline up to and including termination.
- D. Employees convicted of any criminal drug violation occurring in the workplace must report such conviction to the Human Resources Director within five days, and the Human Resources Director will then take appropriate action as required by law.
- E. Employees reasonably believed to be under the influence of drugs, narcotics, or alcohol shall be prevented from engaging in further work and shall be required to leave the premises. The supervisor will arrange to have the employee detained for a reasonable time until the employee can be safely transported from the work site to his home or the City medical facility for testing.
- F. Employees who must use prescribed drugs or narcotics during work should report this fact to their Department Head along with acceptable medical documentation. A determination will then be made as to whether the employee should be able to perform his job safely and properly. In the event that there is a question regarding an employee's ability to safely and effectively perform assigned duties while using such medications or drugs, clearance from a qualified physician may be required.
- G. Employees experiencing problems resulting from drug, narcotic, or alcohol abuse or dependency should seek counseling help. City-sponsored counseling or evaluation is to be kept confidential and will have no influence on performance appraisals. Job performance alone, not the fact that an employee seeks counseling, is to be the basis of all performance appraisals.
- H. An employee who is diagnosed as a drug abuser or alcoholic may be eligible for sick leave or may be granted a leave of absence without pay to undertake rehabilitation treatment.
- I. The City reserves the right to offer employees an opportunity to participate in an approved rehabilitation or drug abuse assistance program as an alternative to discipline. The employee will not be permitted to return to work until certification is presented to the Human Resources Director that the employee is capable of performing his job. Failure to cooperate with an agreed upon treatment plan may result in discipline, up to and including termination for the first offense.
- J. All employees will be provided with a copy of this policy and shall agree to abide by this policy as a condition of employment.

2. Employee Responsibilities.

An employee must:

- A. Not report to work or be subject to duty while his or her ability to perform job duties is impaired due to on or off duty alcohol or drug use;
- B. Not possess or use alcohol or impairing drugs (illegal drugs and prescription drugs without a prescription) during working hours or while subject to duty, on breaks, during meal periods, or at any time on City property;
- C. Not directly or through a third party sell or provide drugs or alcohol to any person, including the employee, while either employee or both employees are on duty or on actual or constructive notice that they are subject to being called;
- D. Notify his or her supervisor in writing, before beginning work when taking any medications or drugs, prescription or non-prescription, which may interfere with the safe and effective performance of duties or operation of City equipment; and
- E. Provide within 24 hours of request bona fide verification of a current valid prescription or any potentially impairing drug or medication identified when a drug screen/test is positive. The prescription must be in the employee's name.

3. Management Responsibilities and Guidelines.

- A. Managers and supervisors are responsible for reasonable enforcement of this policy. Any supervisor who knowingly permits a violation of this policy by employees under his or her direct supervision shall be subject to disciplinary action.
- B. Managers and supervisors may request that an employee submit to a drug or alcohol test when a manager or supervisor has a reasonable suspicion that an employee is under the influence of drugs or alcohol. A "reasonable suspicion" is a belief based on objective facts sufficient to lead a reasonable, prudent supervisor to suspect that an employee is under the influence of drugs or alcohol so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to perform his or her job safely is reduced. For example, any of the following, alone or in combination, may constitute reasonable suspicion:
 - Slurred speech
 - Alcohol odor on breath
 - Unsteady walking and movement
 - An accident involving City property
 - Physical altercation
 - Verbal altercation
 - Unusual behavior
 - Possession of alcohol or drugs
 - Information obtained from a reliable person with personal knowledge
 - Extreme lethargy or excitation
 - An unexplained accident or injury on duty

- Observation of the ingestion of substances or alcohol
 - Blood shot eyes
- C. Any manager or supervisor requesting an employee to submit to a drug or alcohol test should document in writing the facts constituting reasonable suspicion that the employee in question is intoxicated or under the influence of drugs. If possible a second supervisor should be utilized to corroborate “reasonable suspicion”.
- D. Any manager or supervisor encountering an employee who refuses an order to submit to a drug or alcohol analysis upon request shall remind the employee of the requirements and disciplinary consequences of this policy. Where there is reasonable suspicion that the employee is then under the influence of alcohol or drugs, the manager or supervisor should detain the employee for a reasonable time until the employee can be safely transported home.
- E. Managers and supervisors shall not physically search the person of an employee, nor shall they search the personal possessions of an employee without the freely given consent of, and in the presence of the employee.
- F. Managers and supervisors shall notify the appropriate law enforcement agency when they have reasonable suspicion to believe that an employee may have illegal drugs in his or her possession or in an area not jointly or fully controlled by the City.
- G. The Human Resources Department shall provide educational programs on the dangers of alcohol and drug abuse in the workplace, provisions of the Drug Free Workplace Act, and community resources and medical benefits available for employees with drug or alcohol related problems.
- H. The Human Resources Department shall provide training for management and supervisory staff in the identification and handling of employee drug and alcohol problems.
4. **Procedure for Handling Employees Who May be under the Influence of Drugs or Alcohol.**

The following procedures are provided to assist management and supervisory staff in dealing with an employee under the influence of drugs or alcohol on the job.

A. Observation

When you observe the use, sale or possession of illegal drugs on the job or on City property, you should:

- (1) Contact the Police Department for guidance to assure Police involvement in the investigation as early as possible.
- (2) Follow the Police Department’s recommendations with respect to contact with the involved employee(s).

- (3) Report the incident to your immediate supervisor, the Human Resources Director, and the City Attorney.

When, through observation, you have reason to suspect that an employee is under the influence of alcohol or drugs (slurred speech, staggering walk, alcoholic odor, aggressive behavior...), you should arrange to have your immediate superior, another supervisor, or a responsible fellow worker observe and evaluate the suspect's condition if at all possible.

B. Response

- (1) Quietly remove the suspect employee to an assigned "holding" area away from the work area.
- (2) Question the employee (with a witness, if possible) as to why he or she appears to be intoxicated or under the influence of drugs.
- (3) If during the questioning, there is evidence of drug possession, use or sale, contact the Police Department and ask them to assume the investigatory responsibility.
- (4) If the employee's condition is regarded as serious, (i.e. a danger to self, fellow workers, the public or to property), you should request the employee's verbal consent to be taken to a designated hospital for fitness-to-work evaluation.
- (5) While the City retains the right to request a medical evaluation an employee has the right to refuse such an evaluation at any time, even after verbal consent.

C. Alternative Actions

- (1) If the employee refuses medical evaluation:
 - (a) Arrange to have the employee taken home.
 - (b) Do not allow the employee to drive. (If he or she insists on driving, inform the Police Department immediately.)
 - (c) Depending on the employee's condition, "at home" supervision might be advisable.
 - (d) Employee should be advised that he or she will be contacted at a later date in regard to return to work, disciplinary action or other disposition of his or her case.
- (2) If employee agrees to medical evaluation:
 - (a) Obtain a copy of the City's Authorization and Consent Form and fill out the portion dealing with employee identification. (The form should be signed, by you and the employee, before a witness, at the medical facility).
 - (b) You should transport the employee to the City medical facility.
 - (c) You should identify yourself, explain the situation, and present the Authorization and Consent Form.

- (d) The employee should read and sign the Authorization and Consent Form prior to evaluation. You should also sign.
- (e) If the medical facility personnel are unfamiliar with City procedures, have them call the City Human Resources Department.
- (f) While the employee is being evaluated, you should remain in the appropriate waiting area. However, you should ask to be summoned at the conclusion of the evaluation.
- (g) You should not ask for test results. These will be forwarded to the appropriate City official.
- (h) If the employee is admitted to the hospital, you can leave the hospital and inform your immediate superior and the Human Resources Director of the hospitalization.
- (i) If the employee is released, you should take him or her home or arrange for someone else to do so.
- (j) Depending on the condition of the employee, it might be a good idea to make certain that he or she has "at home" supervision.
- (k) The employee should be advised that he or she will be contacted at a later date in regard to return to work, disciplinary action or other disposition of his or her case.

5. Documentation.

- A. You should report the incident to your immediate supervisor and to the Human Resources Director and the City Attorney as early as the situation permits (or have someone else do so.)
- B. As soon as possible after the situation has been brought under control, you should make a detailed record of all actions, observations, statements, and other pertinent facts. Date, time of day, location and witnesses to the incident should be included.
- C. Copies of your report should be delivered to your immediate supervisor, the Human Resources Director, and the City Attorney.
- D. After your immediate supervisor, the Human Resources Director, and the City Attorney have had the opportunity to review your report, you should consult them for guidance on discipline or other action.

6. Physical Examination Procedure. The drug or alcohol test may test for any substance which could impair an employee's ability to effectively and safely perform the functions of his or her job, including, but not limited to, prescription medications, heroin, cocaine, morphine and its derivatives, PCP, methadone, barbiturates, amphetamines, methaqualone, marijuana and other cannabinoids. The analysis will be conducted in accordance with established clinical procedures and state law. Copies of these procedures are available in the Human Resources Department.

7. Results of Drug or Alcohol Analysis.

- A. Employment Physicals

- (1) A positive result from a drug or alcohol analysis may result in the cancellation of any job offer made where the applicant's use of drugs or alcohol could affect requisite job standards, duties or responsibilities.
- (2) If a drug screen is positive at the employment physical, the individual must provide within 24 hours of request a bona fide verification of a valid current prescription for the drug identified in the drug screen. If the prescription is not in the individual's name or the individual did not provide acceptable verification, or if the drug is one that is likely to impair his/her ability to perform the job duties, the job offer may be rescinded or, if the individual is already working, the individual may be terminated immediately.

B. During Alcohol or Drug Tests for Reasonable Suspicion

- (1) A positive result from a drug or alcohol analysis may result in disciplinary action, up to and including discharge.
- (2) If a drug screen is positive, the employee must provide within 24 hours of request bona fide verification of a valid current prescription for the drug identified in the drug screen. The prescription must be in the employee's name. If the employee does not provide acceptable verification, a valid prescription, or if the prescription is not in the employee's name, or if the employee has not previously notified his or her supervisor of his use of this drug, the employee will be subject to disciplinary action up to and including discharge.
- (3) If an alcohol or drug test is positive for alcohol or drugs, the City shall conduct an investigation to gather all facts. The decision to discipline or discharge will be carried out in accordance with City policy.
- (4) Drug and alcohol testing will be conducted in accordance with state law.

8. Confidentiality.

- A. Laboratory reports or test results shall not appear in an employee's general personnel folder. Information of this nature will be contained in a separate confidential medical folder that will be securely kept under the control of the Human Resources Director. The reports or test results may be disclosed to City management on a strictly need-to-know basis and to the tested employee upon request.
- B. Disclosures, without employee consent, may also occur when:
 - (1) The information is compelled by law or by judicial or administrative process.
 - (2) The information has been placed at issue in a formal dispute between the employer and employee.
 - (3) The information is to be used in administering an employee benefit plan.
 - (4) The information is needed by medical personnel for the diagnosis or treatment of the patient who is unable to authorize disclosure.

City Personnel Policy

**CONSEQUENCES OF A POSITIVE DRUG OR ALCOHOL TEST
REQUIRED BY THE CODE OF FEDERAL REGULATIONS, PART 382**

POLICY: 805

Council approval: 03/29/2010

Pages: 2

POLICY:

It shall be the policy of the City that employees violating federal regulations in regard to the use of drugs and or alcohol shall be subject to disciplinary action up to and including dismissal for the first offense.

APPLICABILITY:

Employees of the City of Council Bluffs who are required to have a Commercial Driver's License. Such employees shall be those participating in the City's Drug and Alcohol Testing Alliance (D.A.T.A.) who are subject to drug and alcohol testing as required in 49 C.F.R. Part 382.

PURPOSE:

The purpose of this policy is to provide employees a clear statement as to the consequences of performing safety sensitive functions in a manner prohibited under federal regulations.

PROCEDURE:

1. If the drug or alcohol test results of an employee indicates either (1) a Medical Review Officer verified positive test for the use of drugs; or (2) an alcohol confirmation test of .04 or greater, the employee shall be removed immediately from the job site and a decision will be made by the City as to the appropriate disciplinary action that will be taken. (For an alcohol confirmation test that is at least .02 but less than .04 the employee will be removed immediately from the job site and not allowed to perform safety sensitive functions until the start of the employee's next regularly-scheduled duty period, but not less than 24 hours following the test. Any time absent from work shall be without pay.)
2. An employee with a positive drug or alcohol test result shall be advised by the City of the resources available in evaluating and resolving problems associated with the misuse of alcohol and the use of controlled substances, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.

3. The City reserves the right to refer the employee to an appropriate substance abuse professional for assessment and enrollment in a treatment and rehabilitation program as an alternative to discipline.
4. Employees referred to the treatment and rehabilitation program as a result of a positive alcohol or drug test must immediately cease any substance abuse, and must subject themselves to periodic unannounced testing for a period not to exceed sixty months. Employees referred to the treatment and rehabilitation program must comply with all other conditions of the treatment and counseling program recommended by the substance abuse professional.
5. Failure to comply with any conditions of the treatment and counseling program recommended by the substance abuse professional shall result in immediate dismissal. This includes a return to duty alcohol test of .02 or greater, or a positive drug test.
6. The expenses for the rehabilitation program shall be in accordance with the applicable employee health plan. No additional contributions toward the rehabilitation program will be made by the City.
7. An employee required to take time off in order to participate in a rehabilitation program may be eligible for sick leave, or may be granted a leave of absence without pay to undertake rehabilitation treatment.
8. Participation in substance abuse treatment and rehabilitation will not result in disciplinary action; however, non-covered duties will be assigned until the substance abuse professional determines that the employee may return to duty. Successful completion of the prescribed program will be required for the employee to continue employment with the City.
9. The results of the positive drug or alcohol test, reasons for related disciplinary action, and terms of any required rehabilitation program will remain confidential, except as provided by the Federal Regulations.
10. Should any provision of the D.A.T.A. Drug and Alcohol Testing Program conflict with City Personnel Policies, the D.A.T.A. Provisions shall prevail.

City Personnel Policy

PERSONAL APPEARANCE OF EMPLOYEES

POLICY: 806

Council approval:

Pages: 3

POLICY:

It is the policy of the City that each employee's dress, grooming, and personal hygiene should be appropriate for their work situation. Anything that could be considered a safety hazard, offensive, distracting, or otherwise diminish the confidence in an employee's ability to deliver quality services will not be permitted.

APPLICABILITY:

All employees

PROCEDURE:

1. To maintain a professional image requires the cooperation and good judgment of every employee, supervisor, manager, and Department Head.
 - A. Supervisors should be aware of how employees are dressed and take actions to correct any inappropriate attire.
 - B. Supervisors should periodically inspect uniform clothing items and replace items that have become too worn; or, where applicable, direct the employee to replace uniform items that are too worn.
 - C. If an employee arrives for work out of compliance with this policy, their supervisor will send them home to change. The employee will not be paid for this time.
2. General standards
 - A. Clothing should fit properly, be clean, and not be torn or visibly patched. Pants and jeans should not be too tight or so loose or baggy that underwear or skin is visible when moving around or bending.
 - B. All clothing items worn in the office or out of the office during the work day must not display any image or text that is inappropriate or distracts from the professional image of the City.

- C. Hair should be clean, combed, and neatly trimmed or arranged. Sideburns, moustaches, and beards should be neatly trimmed.
- D. Visible tattoos must not be offensive or create a notable distraction.
- E. Visible body piercings must not be offensive or create a notable distraction.
- F. All footwear should be clean, safe, and appropriate for the duties and responsibilities of the employee.
- G. Employees should not wear suggestive or otherwise inappropriate attire such as halter tops, crop tops, tank tops, strapless or party dresses, mini-skirts, capri-pants, leggings, spandex, stirrup pants, shorts, tee-shirts, hoodies, athletic shoes, sandals or other casual, open-toed shoes. This is not an exhaustive list; merely examples. If you are unsure whether an article of clothing is appropriate or not, ask your supervisor before wearing it to work.

3. Specific Guidelines

A. **Guidelines for employees who wear uniforms to work:**

- a. Employees who wear a uniform of any type, including a simple uniform shirt, must be in uniform on all work days.
- b. Employees shall only wear the prescribed uniform when “on duty” or when traveling to or from work.
- c. If departmental uniform policy differs from this policy, employees shall comply with their departmental policy.

B. **Guidelines for employees who work in an office environment:**

- a. Office employees are permitted to dress in business casual clothing.
 - i. Button-down shirts, ties, knit tops, polo shirts, blouses, sweaters, dresses, skirts, khakis, slacks, and dress shoes.
- b. Certain work assignments may dictate more professional attire such as suits, blazers, sports jackets, pants suits and the like when representing the City at meetings with boards, commissions, businesses, and other agencies.
- c. At its own discretion, the City may have casual days (e.g. jeans on Friday). On those days, employees should continue to follow the other guidelines for appropriate clothing.
- d. Hats should not be worn in the office.

C. **Guidelines for employees who work in the field:**

- a. Button-down shirts, knit tops, polo shirts, blouses, sweaters, jeans, khakis, slacks.

- b. Field employees should wear leather work boots or other closed toed shoes appropriate for their position.
 - c. For safety reasons, field employees should not wear canvas shoes or open-toed shoes.
 - d. Hats may be worn in the field provided they meet the general standards outlined above.
- 3. Employees who desire an exception to this policy for religious or medical reasons should obtain approval of the Mayor through their supervisor, manager, and department head.

City Personnel Policy

USE OF TECHNOLOGY RESOURCES

POLICY: 807

Council approval: 12/02/2013

Pages: 5

POLICY:

The City provides various technology resources to authorized employees to assist them in performing their job duties. Each employee has a responsibility to use the City's technology resources in a manner that increases productivity, enhances the City's public image, and is respectful of other employees. Failure to follow the City's policies regarding its technology resources may lead to disciplinary measures, up to and including termination.

Access to the City's technology resources is within the sole discretion of the City. Generally, employees are given access to the City's various technologies based on their job functions. Only employees whose job performance will benefit from the use of the City's technology resources will be given access to the necessary technology.

The procedures set forth apply to all technology resources which: (1) are accessed on or from City premises or while on duty; (2) accessed using City computer equipment including remote access; and/or, (3) used in a manner which identifies the individual with the City.

APPLICABILITY:

All employees.

ADMINISTRATION:

The Information Technology Manager is primarily responsible for the contents and administration of this policy. All Department Heads have collateral responsibility for the administration of this policy.

DEFINITION:

The term technology resources refers to all electronic devices, software, and means of electronic communication, including, but not limited to, the following: Personal computers and workstations; laptop computers; tablets; computer hardware; storage media; peripheral equipment such as printers, scanners, modems, fax machines, and copiers; time keeping systems; computer software applications and associated files and data, including software that grants access to external services, such as the internet or intranet; electronic mail; telephones; cellular phones; pagers; and, voicemail systems.

PROCEDURES:

1. Employee Use of Technology Resources.

The City's technology resources are to be used by employees only for the purpose of conducting City business.

A. Personal Use. Employees may use the City's technology resources for the following incidental personal uses so long as such use does not interfere with the employee's duties, is not done for pecuniary gain, does not conflict with the City's business, does not deplete system resources or storage capacity, and does not violate any City policy:

- 1) To send and receive necessary and occasional personal communications;
- 2) To prepare and store incidental personal data (such as personal calendars, personal address lists, and similar incidental personal data) in a reasonable manner;
- 3) To use the telephone system for brief and necessary personal calls; and,
- 4) To access the internet for brief personal searches and inquiries during meal times or other breaks, or outside of work hours, provided that employees adhere to all other usage policies. The City acknowledges that employees may, at other times, engage in brief incidental personal use of the internet as long as such use does not interfere with the performance of job duties or consume system resources (e.g., watching videos or listening to music online).

The City assumes no liability for loss, damage, destruction, alteration, disclosure, or misuse of any personal data or communications transmitted over or stored on the City's technology resources. The City accepts no responsibility or liability for the loss or non-delivery of any personal electronic mail or voicemail communications or any personal data stored on any City property. The City strongly discourages employees from storing any personal data on any of the City's technology resources.

B. Software Use. All software in use on the City's technology resources is officially licensed software. No software shall be installed or used that has not been duly paid for and licensed for City business. No employee may load any personal software on the City's computers by any means of transmission, unless authorized in writing in advance by the Information Technology Manager. Authorization for loading software onto the City's computers shall not be given until such software has been thoroughly scanned for viruses.

C. Confidential Information

- 1) The City is very sensitive to the issue of protecting confidential and proprietary information of both the City and third parties. Therefore, employees are expected to use good judgment and to adhere to the highest ethical standards when using or transmitting confidential information on the City's technology resources. Besides the City's policies, state and federal laws and regulations also require that confidentiality is maintained.
- 2) Confidential information should not be accessed through the City's technology resources in the presence of unauthorized individuals. Similarly, confidential information should not be left visible or unattended in any form.
- 3) Employees should avoid sending confidential information over the internet, except for in the legal department, which has adopted its own internal protocols to safeguard confidential and attorney-client privileged information. When necessary confidential information should be encrypted in a method approved by the Information Technology Manager. Employees also should verify electronic mail addresses before transmitting any message containing confidential or proprietary information.

D. Prohibited Uses of Technology Resources. Examples of unacceptable uses of technology resources include but are not limited to:

- 1) Accessing, forwarding, saving, printing, disseminating or displaying messages or materials containing abusive, profane or offensive language; ethnic or racial slurs, or any other messages, remarks or materials that can be construed to be harassment or disparagement of others based on their sex, race, sexual orientation, gender identity, age, national origin, physical or mental disability, religious or political beliefs, marital status, familial status, creed, or color. See Policy #803, Sexual and Other Discriminatory Harassment Prohibited.
- 2) Using City-owned computers or network to store personal files such as videos, pictures, letters, or other documents.
- 3) Using the City's technology resources to copy, retrieve, forward or send copyrighted materials, unless the employee has the author's permission or is accessing a single copy only for the employee's reference.
- 4) Using any of the City's technology resources for any illegal purpose, violation of any City policy, in a manner contrary to the best interests of the City, in any way that discloses confidential or proprietary information of the City or third parties, or for personal or pecuniary gain.

- 5) Representing that they are speaking or acting on behalf of the City unless specifically authorized by the City.
- 6) Using technology resources in a manner that incurs any unauthorized expense to the City.
- 7) Using internet sites in a manner that damages or interferes with the City's computer network, including use that generates the delivery of "junk" electronic mail.

2. City Access to Technology Resources

All messages sent and received, including personal messages, and all data and information stored on the City's electronic-mail system, voicemail system or other computer systems/resources are City property regardless of the content. As such, the City reserves the right to access all of its technology resources including its computers, voicemail and electronic-mail systems, at any time, in its sole discretion.

A. No Expectation of Privacy. Although the City does not wish to examine personal information of its employees, on occasion the City may need to access any and all information in its technology resources, including computer files, electronic-mail messages, and voicemail messages.

- 1) Employees have no right of privacy with respect to any information or messages – including personal information or messages – created, received or maintained on the City's technology resources. The City may, at its discretion, inspect all files or messages on its technology resources at any time for any reason.
- 2) The City may also monitor its technology resources at any time to determine compliance with its policies, for purposes of legal proceedings, to investigate misconduct, to locate information, or for any other legitimate business purpose.

B. Passwords. Certain parts of the City's technology resources can be accessed only by entering a password. Passwords are intended to prevent unauthorized access to information. Passwords do not confer any right of privacy upon any employee of the City. Thus, even though employees may maintain passwords for accessing technology resources, employees must not expect that any information maintained on technology resources, including electronic-mail and voicemail messages, is private. Employees are expected to maintain their passwords as confidential at all times.

C. Data Collection

The best way to guarantee the privacy of personal information is not to store or transmit it on the City's technology resources. To ensure that employees understand the extent to which information is collected and stored, below are examples of information currently maintained by the City. The City may, however, in its sole discretion, and at any time, alter the amount and type of information that it retains.

- 1) Telephone Use and Voicemail: Records are kept of all calls made from and to a given telephone extension. Although voicemail is password protected, an authorized administrator can reset the password and listen to voicemail messages.
- 2) Electronic Mail: Electronic mail is backed-up and archived. Although electronic mail is password protected, an authorized administrator can reset the password and read electronic mail.
- 3) Desktop Facsimile Use: Copies of all facsimile transmissions sent and received are maintained in the facsimile server.
- 4) Document Use: Each document stored on City computers has a history, which shows which users have accessed the document for any purpose.
- 5) Internet Use: Internet sites visited, the number of times visited, and the total time connected to each site are recorded and periodically monitored.

D. Deleted Information

Deleting or erasing information, documents, or messages maintained on the City's technology resources is, in most cases, ineffective. All employees should understand that any information kept on the City's technology resources may be electronically recalled or recreated regardless of whether it may have been "deleted" or "erased" by an employee. Because the City periodically backs-up all files and messages, and because of the way in which computers re-use file storage space, files and messages may exist that are thought to have been deleted or erased. Therefore, employees who delete or erase information or messages should not assume that such information or messages are confidential or have been "deleted" or "erased".

City Personnel Policy

USE OF SOCIAL MEDIA

POLICY: 808

Pages: 4

Council approval: 12/02/2013

POLICY:

The developments in electronic technology have created invaluable resources to reach personal and professional goals as well as provide a means for mass distribution of City information. Nevertheless, this technology also has the capability to damage the City's reputation if employees do not properly represent the City. Thus, all employees are expected to use computers, mobile phones, computer applications and programs, internet resources and network communications in a responsible, professional, ethical, and lawful manner. This policy is in addition to existing City policies regarding: Conflicts of interest; confidential information; non-discrimination, anti-harassment or non-retaliation; and/or computer and electronic media usage.

Employees should be aware that social media sites are constantly changing, and they should never assume that personal information posted on such sites is protected. As such, employees should expect that any information created, transmitted, downloaded, exchanged, or discussed via social media may be accessed by the public and/or City staff. Consequently, employees should use common sense in all communications, particularly on a website or social networking site accessible to anyone.

Any employee who violates this policy may be subject to disciplinary action, up to and including termination.

APPLICABILITY:

All regular full-time and part-time employees.

DEFINITION:

Social media is broadly defined as any communication system—typically Internet based—that provides services to allow individuals to share information with other individuals. Examples of the types of social networking sites covered by this policy include, but are not limited to blogs, LinkedIn, Facebook, Google+, Twitter, YouTube, photo and video sharing sites, micro-blogging, podcasts, wikis, news sites, as well as viewable comments posted on Internet sites. This policy is not meant to address only certain forms of social media, but rather social media in general as advances in technology will occur and new tools will emerge that are also required to be used in accordance with this policy.

PROCEDURES:

The procedures for using social media are presented in two categories: (1) City-sponsored sites used for the dissemination of information and for official interaction with citizens; and, (2) procedures governing employee conduct while on social media sites.

1. Administration of Official City Social Media Sites

- A. The establishment and use by any City department of City social media sites are subject to approval by the Mayor. At the time such site is approved, the Department Head must determine who will be responsible for developing this site including establishing an administrative profile, designating who will have authority for speaking on behalf of the City, and who will keep the site up to date, including answering questions in a timely manner.
- B. The City logo shall be used on all social media accounts to confirm the authenticity of the site. City social media accounts will only join a group or become a fan of a page if it is related to official City business, services, and events.
- C. Wherever possible, City social media sites should link back to the official City of Council Bluffs website for forms, documents, online services and other information necessary to conduct business with the City.
- D. Each Department Director or his/her designees will monitor content on City social media sites to ensure adherence to City policies and the interest and goals of the City.
- E. The City reserves the right to restrict or remove any content that is deemed in violation of the policy or applicable law. Any content removed based on these guidelines must be retained by the Department Director or designee for a minimum of 90 days, including the time, date, and identity of the poster, when available.
- F. The City's website at <http://www.councilbluffs-ia.gov> will remain the City's primary and predominant Internet presence.
- G. Freedom of Information Act and e-discovery laws and policies apply to social media content and therefore content must be able to be managed, stored, and retrieved to comply with these laws.
- H. City social media sites are subject to State of Iowa public records laws. Any content maintained in a social media format that is related to City business, including a list of subscribers and posted communication, is a public record. The Department maintaining the site is responsible for responding completely and accurately to any public records request for public records on social media. Content related to City business shall be maintained in an accessible format pursuant to city policy and practice so that it can be produced in response to a request. Wherever possible, such sites shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure.

- I. Employees representing the City via social media accounts must conduct themselves at all times as representatives of the City. Employees that fail to conduct themselves in an appropriate manner shall be subject to discipline up to and including dismissal.
- J. Comments containing inappropriate forms of content shall not be permitted on City social media sites and are subject to removal and/or restriction by the Department Director or designee. Inappropriate content shall include, but not be limited to:
 - 1) Comments not related to the original topic;
 - 2) Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, sex, national origin, religion, age, sexual orientation, gender identity, marital status, familial status, or disability (mental or physical);
 - 3) Defamatory or personal attacks;
 - 4) Threats to any person or organization; or,
 - 5) Solicitation of commerce, including but not limited to advertising any business or product for sale.

2. Personal Use of Social Media Sites by Employees

- A. Employees should limit their use of social media during working hours or on equipment provided by the City unless such use is work-related, required for legal or litigation purposes, or authorized by a supervisor. Employees should avoid using City-provided email addresses to register on social networks, blogs or other websites for personal use. Employees should note that this provision is not meant to prohibit employees from engaging in concerted protected activity where prohibited by the National Public Employee Relations Board.
- B. Employees may not, unless expressly authorized, make statements on behalf of the City. Employees should consider including a disclaimer when making work-related statements in social media communications (e.g., "These statements are my own opinions and not the opinions of the City").
- C. Employees are expected to not use their City-provided email accounts when using social media unless expressly authorized to do so by their supervisor. In addition, employees should have no expectation of privacy when using City-provided email or other forms of electronic communication.
- D. Employees shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment unless expressly authorized. In addition, employees are expected to respect the privacy of their co-workers and citizens and must take steps to protect the privacy and confidentiality of others.

- E. Unless expressly authorized, employees are not to use the City's intellectual property such as trademarks, logos, letterhead, etc. This includes posting pictures of employees or others wearing City uniforms or other apparel bearing the City's name or logo.
- F. Employees are not allowed to use photographs or other depictions of departmental uniforms, other officers, badges, patches, marked units, any other departmental property or on-duty personnel, including incident scenes, unless expressly authorized. This includes, but is not limited to, posting, transmitting, and/or disseminating any pictures or videos of official departmental training, activities, or work-related assignments.
- G. Employees shall not post material that is abusive, obscene, libelous, threatening, profane or otherwise inappropriate about the City, its employees or citizens.
- H. Employees shall not post material that may be construed to be discriminatory, harassing or retaliatory in nature about the City, its employees or citizens.
- I. Nothing in this policy is intended to infringe upon any employee's legitimate First Amendment rights, and employees are free to express themselves as private citizens on social media sites. The intent of this policy is to prevent employees from engaging in unlawful speech, improperly impairing the working relationships of the City, impeding the performance of City duties, and/or negatively affecting the public perception of the City. As public employees, employees are cautioned that speech made pursuant to an employee's official duties is not protected speech under the First Amendment and may form the basis for discipline.

WORK AREA SEARCHES AND PRIVACY ISSUES

POLICY: 809

Pages: 2

Council approval: 12/02/2013

POLICY:

The City reserves the right to conduct such searches as are necessary to monitor compliance with work and safety rules. Searches may include the employees, their work areas, desks, files, lockers, storage areas, lunch rooms, City-owned vehicles and equipment, and employee-owned vehicles, if driven or parked on the City's property or used on City business, and the employee's personal items brought on City premises or in the performance of the employee's duties.

APPLICABILITY:

All City employees.

PURPOSE:

The City strives to provide a safe, pleasant, and secure environment for all employees. In an effort to provide such an environment, it may be necessary for the City to monitor City property for compliance with work and safety rules and to aid in investigations of suspected misconduct including, among others, violations of City policies on Work Rules/Standards of Conduct, Drug and Alcohol Use, Discriminatory Harassment, and the like.

PROCEDURES:

1. The City reserves the right, at all times, and without prior notice, to inspect and search any and all City property and employee personal property kept on City premises for the purpose of determining whether this policy or any other law, rule or policy has been violated; or, when such inspection and investigation is necessary for the purposes of promoting safety in the workplace or compliance with local, state or federal laws. Such inspections may be conducted during or after normal business hours.
2. When possible, the Department Head should consult with the Director of Human Resources prior to conducting a search that is part of an investigation into possible employee misconduct.

3. There is no general or specific expectation of privacy in the workplace of the City of Council Bluffs, either on the premises of the City or while on-duty. In general, employees should assume that what they do while on-duty or on the City's premises is not private.
4. In conducting a search the City is not accusing anyone of theft or some other variety of improper conduct.
5. Searches will be done in a manner protecting employees' privacy, confidentiality, and personal dignity to the greatest extent possible.
6. No employee will ever be forced to submit to a search of his/her person or be detained against his/her will. However, the employee should be informed that refusal to comply with a lawful request by an agent of the City is an act of insubordination and may result in disciplinary action up to and including termination.
7. When possible, searches will be conducted with a witness present; the employee's presence for the search depends on the reason for and nature of the search.
8. Any privately-owned property contained on City property or in City equipment, including the contents of closed or sealed items/containers, may also be opened and examined without further notice and without employee permission.
9. If an employee is allowed to have a locker or other storage area, the City will either furnish the lock and keep a copy of the key or combination, or, allow the employee to furnish a personal lock, but require the employee to give the City a copy of the key or combination.
10. Employees given keys to locked work areas or passwords to computer data or information are hereby given notice that this action does not create an expectation of privacy. The City will routinely monitor usage patterns for its voicemail, e-mail or Internet communications. All messages created, sent, or retrieved over the City e-mail and Internet systems are considered the property of the City.
11. The City reserves the right to access and monitor all messages and files on its electronic media systems. Employees should have no expectation of privacy with regard to electronic media owned by the City or used while on City premises. For additional information, see Use of Technology Resources, Policy 807.

City Personnel Policy

GRIEVANCE PROCEDURE

POLICY: 900

Council approval: 03/29/2010

Pages: 2

POLICY:

It is the policy of the City that employees should have an opportunity, when appropriate and practical, to present their work-related complaints; and, to appeal management decisions through a formal grievance procedure. The City will attempt to resolve promptly all grievances that are appropriate for handling under this policy.

APPLICABILITY:

All employees.

PROCEDURE:

1. An appropriate grievance is defined as a dispute between the employee and his/her supervisor concerning any interpretation or application of a work-related policy by management, supervisors, or other employees. Examples of actions which may be causes of grievances appropriate under this policy include:
 - A. Application of City policies, practices, regulations, and procedures;
 - B. Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or intimidation;
 - C. Discrimination because of race, color, sex, age, religion, national origin, marital status, or handicap; and
 - D. Improper administration of employee benefits or conditions of employment such as vacations, fringe benefits, promotions, retirement, holidays, performance review, salary, or seniority.
2. Employees are not to be penalized for proper use of the grievance procedure. However, it is not considered proper if an employee abuses the procedure by raising grievances in bad faith or solely for the purposes of delay; or, harassment or by repeatedly raising grievances that a reasonable person would judge to be without merit.
3. The grievance procedure has a maximum of three steps, but grievances may be resolved at any step in the process. Grievances are to be fully processed until the employee is satisfied or does not file a timely appeal; or, until the right of appeal is exhausted. A decision becomes binding on all parties whenever an employee does

not file a timely appeal or when a decision is made in the final step and the right of appeal no longer exists.

4. Employees who feel they have an appropriate grievance should proceed as follows:
 - A. Step One - Within seven calendar days after notification of the action that gives rise to the grievance, the employee shall bring the grievance to the attention of the immediate supervisor. If the grievance involves the supervisor, then it is permissible to proceed directly to step two. The supervisor is to investigate the grievance, attempt to resolve it, and give a decision to the employee within seven calendar days. The supervisor should prepare a written and dated summary of the grievance and proposed resolution for file purposes.
 - B. Step Two – If the grievance is not settled to the satisfaction of the employee, the employee may present it to the Department Head in writing within seven calendar days after receiving the decision of their immediate supervisor. The Department Head, or their designated representative, shall consider the grievance and shall notify the employee of the decision in writing within seven calendar days of the receipt of the grievance.
 - C. Step Three – If the employee still feels aggrieved after receipt of this decision, the employee may present the grievance to the Mayor. The grievance shall be in writing and shall be submitted within seven calendar days after receiving the decision of the Department Head. The Mayor or a designated representative shall investigate the grievance and respond in writing within ten calendar days. The decision of the Mayor shall be final and binding.
5. Final decisions on grievances will not be precedent-setting or binding on future grievances unless they are officially stated as City policy. When appropriate, the decisions will be retroactive to the date of the employee's original grievance.
6. Supervisors, Department Heads, and other members of management are to investigate and discuss a grievance only with those individuals who have a need to know about it or who are needed to supply necessary background information.
7. Time spent by employees in grievance discussions with management during their normal working hours will be considered hours worked for pay purposes.
8. The filing of a complaint under the Civil Service law or union contract will preclude an employee from utilizing this grievance procedure.

ALTERNATIVE DUTY ASSIGNMENT

POLICY: 901

Council approval: 03/29/2010

Pages: 3

POLICY:

When an employee is temporarily unable to perform his/her regular duties due to illness or injury, the City will make a reasonable attempt to return the employee to useful service as soon as possible through an alternative duty work assignment.

PURPOSE:

Alternative duty is an interim step in the physical conditioning and recovery of an injured or ill employee with temporary restrictions with the goal of returning the employee to his or her original job. It is recognized that most employees return to full duty sooner and heal faster when participating in some gainful and meaningful work. It helps the employee stay active and involved which contributes to quality of life. A successful return to work program also benefits the City when an active member of the workforce is regained and the cost of illnesses and injuries are reduced.

APPLICABILITY:

All regular full-time and regular part-time employees.

PROCEDURE:

Definition of Alternative Duty: The temporary assignment of an employee to a position or duties other than the ones the employee would normally have performed in order to accommodate the physical limitations presented by a temporary injury or illness which will promote the timely recovery and rehabilitation of the employee

ELIGIBILITY:

1. An employee who is off duty due to an injury or illness shall be given an alternative duty if:
 - A. Full recovery and return to normal duty is expected in six months or less; and,
 - B. The employee is expected to be off duty for more than fourteen calendar days; and,

- C. In the case of an injury or illness not related to City employment, the employee voluntarily requests the alternative duty assignment; and,
 - D. The employee's physician and City's physician, if required, releases the employee to an alternative duty, and;
 - (1) If the employee and City physicians do not agree on the release of the employee to an alternative duty assignment, they shall confer.
 - (2) If the two physicians still cannot agree on the assignment, an opinion shall be obtained from a separate independent occupational health provider.
 - E. There are duties that the employee is qualified to perform under the physician's restrictions that will benefit the City and its operations as determined by the Department Head and Risk Manager, and;
 - F. It would be in the best interests of the City to allow the employee to perform such duties.
2. Alternative duty assignments may be changed at any time, upon the approval of the treating physician, if deemed in the best interest of the employee or the City.

GENERAL GUIDELINES:

- 1. This policy in no way affects employees' privileges under provisions of the Family and Medical Leave Act, Americans with Disabilities Act, Worker's Compensation Act, or any other federal or state law. Alternative duty assignments will not be arranged or proposed to an employee who has requested or is currently on Family Medical Leave.
- 2. Assignment to alternative duty shall not affect an employee's pay classification, pay increases, promotions, retirement benefits or other employee benefits.
- 3. No specific position within any department shall be established for use as an alternative duty assignment, nor shall any existing position be designated or utilized exclusively for personnel on alternative duty.
- 4. Alternative duty assignments shall not be made for disciplinary purposes.
- 5. Alternative duty assignments shall normally be provided within the employee's own department.

MANAGEMENT'S RESPONSIBILITIES:

- 1. The Department Head will detail the alternative duty assignment on the Alternative Duty Form (see Appendix "A" - 901-1).
 - A. The signature of the employee and Risk Manager should be obtained.

- B. Copies of the completed form should be provided to the Risk Manager, the employee, and the Human Resources Department.
2. The alternative duty assignment shall be reviewed every thirty days by the Department Head to ensure that the alternative duty assignment continues to meet all of the original criteria.
 3. Providing an alternative duty assignment for an employee with an on-the-job injury or illness will take precedence over an employee needing an alternative duty assignment for a non-service related illness or injury.
 4. Upon release to regular work without restrictions, the employee shall be assigned his/her regular duties. Notice that the alternative duty assignment has been completed should be sent to the Risk Manager and the Human Resources Department.
 5. If at any point during the alternative duty assignment it is determined the employee will not be able to return to his/her original job duties, or if the employee is not capable of returning to his/her original duties after six months in an alternative duty assignment, the employee will be removed from the alternative duty assignment. At that time a determination of the employee's work status will be made.

EMPLOYEE RIGHTS AND RESPONSIBILITIES:

1. An employee who feels he/she may be eligible for an alternative duty assignment may request such assignment through his/her Department Head.
2. An employee on an alternative duty assignment shall not perform any tasks that violate the restrictions or limitations applicable to the alternative duty assignment.
3. Employees on alternative duty are prohibited from engaging in any off duty employment without approval from the treating physician and the employee's Department Head.
4. Depending upon the nature and extent of the illness or injury, an employee who normally wears a uniform may be prohibited or restricted from wearing the departmental uniform while performing an alternative duty assignment.
5. The normal work hours of the employee may be modified if needed for the alternative duty assignment.
6. An employee assigned to alternative duty will be allowed to leave the alternative duty assignment for doctor's appointments and physical therapy/rehabilitation appointments related to the injury or illness. If the illness or injury is non-job related such time off will be charged to sick leave and these absences will be considered as part of the original illness or injury.
7. Refusal of an alternative duty assignment may affect the employee's eligibility for worker's compensation or other injury on-the-job benefits.

City Personnel Policy

LIMITED DUTY

POLICY: 902

Council approval: 03/29/2010

Pages: 1

POLICY:

It shall be the policy of the City that limited duty assignments will be made to employees only in those circumstances hereinafter set forth:

1. The employee is temporarily incapacitated, but can perform limited duty as defined below, and;
2. The employee has written permission from a licensed physician to return to work, and;
3. The limited duty to be performed by the employee would directly contribute to the overall mission of the department, and that it would be in the best interests of the City to allow the person to perform such duty.

APPLICABILITY:

All regular full-time and regular part-time employees.

PROCEDURE:

1. **Definition.** Limited Duty is defined as a reduction of the hours of work or workload assigned to an individual, without eliminating essential tasks or responsibilities normally required of the position to which that individual is assigned.
2. **Application.** An initial request for limited duty assignment or an extension thereof shall be submitted to the Human Resources Department by the Department Head in memo form, setting forth the justification and recommendation for such assignment, and the period of time for which such assignment is being requested. Such requests shall be subject to review by the Human Resources Department and the Risk Manager prior to approval by the Mayor.
3. **Duration.** Limited duty assignments will be limited initially to a period of 60 days. Thirty day extensions of such assignments may be made by the Mayor. The Mayor may terminate a limited duty assignment at any time if he/she determines that such assignment is no longer in the City's best interest.
4. **Medical Care.** An employee on limited duty will be allowed to use sick leave for doctor's appointments or physical therapy/rehabilitation appointments related to the injury or illness. These absences will be considered as part of the original illness or injury.

City Personnel Policy

EMPLOYEE ASSISTANCE PROGRAM

POLICY: 903

Council approval: 03/29/2010

Pages: 3

POLICY:

It is the policy of the City, when possible, to provide employees with counseling and referral services which will aid in coping with and solving personal problems, both on and off the job.

Early intervention, the main goal of this program, is effective. The earlier a personal problem is recognized and resolved, the fewer adverse effects it will have on the employee's family, health, security, and job performance. To accomplish this goal, a concerted effort of labor and management is essential.

APPLICABILITY:

All regular full-time and part-time employees as well as members of their household. Household member, as used within this policy, shall mean the spouse or minor dependent children of the covered employee or any person who resides permanently in the employee's residence.

PURPOSE:

1. It is the City of Council Bluffs' objective to help employees who develop behavioral/medical problems that may directly affect their work.
2. The City recognizes that there may be a social stigma associated with some behavioral/medical problems which often discourages a person from seeking and/or accepting proper consultation and treatment. Therefore, our approach is designed to overcome this stigma and achieve prompt and positive results, before the damage has progressed to a point of being irreversible.
3. This policy has the following specific goals:
 - A. To communicate to all employees the City's viewpoint on behavioral/medical problems and to encourage an enlightened attitude toward these health problems.
 - B. To create awareness among City employees that help is available on a voluntary basis for these behavior/medical problems. It is hoped that seeking such help will prevent problems from reaching a point where job performance becomes impaired. Voluntary involvement will remain totally confidential between the employees and helping facility.

- C. To provide department directors and supervisors with policy and procedural guidelines for the management of behavioral/medical problems.
- D. To direct department directors and supervisors toward prompt corrective action where a decline in an employee's work performance is seemingly related to a behavioral/medical problem.

PROCEDURE:

1. Employees experiencing personal problems are encouraged to seek assistance from their supervisor or from the Human Resources Department. Personal difficulties such as marital, family, emotional, stress, interpersonal, medical, financial, and legal problems, plus alcohol and drug abuse, can adversely affect job performance. Employees are responsible for their job performance. Performance appraisals are to be based on factors related to job performance, regardless of whether an employee seeks counseling.

While the City is concerned with these employee problems, intervention will occur only when, but just as soon as, they begin to affect an employee's job performance.

2. Supervisors should be alert to detect the existence of personal problems affecting their employees. Indications of personal problems include excessive absenteeism, changes in both behavior patterns and employee attitudes, and substandard job performance.

It is recognized that supervisors do not have the professional qualification to permit any judgment as to the underlying causes for the employee's problems, just as they are not qualified to diagnose any disease. Necessary referral by management for evaluation and treatment will be based strictly on unsatisfactory job performance that results from an apparent behavior/medical problem, regardless of its nature.

3. Supervisors, where appropriate, should try to communicate with employees who seem to be experiencing problems. If an employee's problem seems to require professional counseling, or does not lend itself to an easy solution, the supervisor should refer the employee to the Human Resources Department.

The Human Resources Department will discuss the problem with the employee and refer him/her to such counseling services as it deems appropriate. The City may provide, if appropriate, an evaluation at a qualified medical or counseling facility to assist the employee in determining what course of action, if any, is needed. Follow-up counseling or rehab shall be the responsibility of the employee, except as provided for under the City's group insurance policy.

The City believes it is the responsibility of the employee to comply with the referral for evaluation and to cooperate with prescribed treatment. If an employee refuses to accept evaluation and treatment or fails to respond to treatment, when the results of such refusals or failure continue to adversely affect job performance, it is recommended that appropriate action be taken.

4. The City reemphasizes that the decision by management to refer an employee for evaluation, diagnosis, or treatment will be based strictly on evidence of continuing unsatisfactory job performance.

Job security or promotion opportunities will not be jeopardized by a request for, or acceptance of, evaluation and treatment.

5. The confidential nature of treatment records will be preserved in the same manner as all medical records.
6. Implementation of this policy will not require, or result in, any special regulations, privileges, or exemptions from the standard administrative practices applicable to job performance requirements except as may be outlined in a labor/management agreement or as required by law.
7. The City believes an employee's job performance may also be affected when a member of his/her family is afflicted with any of these behavioral/medical problems. For this reason, we extend the same offer of assistance through the employee to any member of the employee's household.

FORMS

City of Council Bluffs
EMPLOYEE REQUISITION FORM

Job Title: _____

Pay Plan: _____

Status: ☐ Regular Full-Time

☐ Regular Part-Time

Grade: _____

If part-time, # hours per week _____

Date Vacant: _____

Reason for Vacancy: ☐ New Position

☐ Replacement Position

If replacement, name of prior incumbent: _____

Date Needed: _____

Changes
recommended to
selection process:

Special
recruitment ideas:

Department Contact

Name

Phone

Department Head

Signature

Date

SUBMIT COMPLETED FORM TO HUMAN RESOURCES

Note: a memo may be substituted for this form if it contains information requested

For Human Resources Use

Does a preferred list exist
for this job class?

☐ No

☐ Yes

Is there a current eligibility list?

☐ No

☐ Yes

Recruitment Period: _____

Other Information: _____

REQUEST TO OFFER EMPLOYMENT

Note: Memo may be substituted for this form if it contains all of the information below.

Name of applicant to be offered employment _____

Job Classification: _____ Projected Start Date: _____

Wage to be offered: _____
Pay Plan Pay Grade Pay Step

Explain if wage is other than starting wage: _____

Explain any benefit that will be offered beyond contract or policy: _____

Offer of employment is contingent on:

- ☐ Civil Service certification
- ☐ Pre employment medical exam
- ☐ Iowa residency
- ☐ Reference / Background Investigation
- ☐ Other conditions (specify): _____

Department Head Signature _____ Date: _____

Approval by Director of HR _____ Date: _____

Comments: _____

AGREEMENT FOR REIMBURSEMENT OF TRAINING EXPENSES AND COST OF SPECIALIZED PERSONAL EQUIPMENT

As an applicant for the position of:

☐ Police Officer, ☐ Firefighter, ☐ Firefighter/Paramedic Specialist, I hereby acknowledge and agree to the following as a condition of employment with the City of Council Bluffs, Iowa:

- 1) I hereby agree to reimburse said City on a pro rata basis for all training and specialized personal equipment costs if I should voluntarily leave City employment before completion of five years tenure from original date of hire. I also understand that a list of said equipment and training costs is maintained by my department as an estimate of what these costs may be. Said reimbursement will be made in accordance with City personnel policy on hiring/termination of employment. All personalized equipment that requires reimbursement shall become the property of the applicant.
- 2) I hereby agree that all reimbursement is due upon voluntary termination, and any benefits owed to me by the City, including but not limited to wages, vacation pay, holiday pay, college pay, compensatory time pay, perfect attendance pay, etc., may be retained by the City and applied to the reimbursement due the City. I further agree that in the event the City incurs legal fees or any other collection costs in an effort to collect any delinquent sums owed pursuant to this agreement, I will pay such expenses in addition to the delinquent amount.
- 3) I acknowledge and agree that this agreement is a condition of hire and not an employment contract and in no way guarantees me any right of continued employment.
- 4) I have read and fully understand the terms and conditions of this acknowledgment and agreement and I agree to each and every term and condition contained herein.

Applicant's Name (Print)

Signature

Date

Copies to: ☐ applicant, ☐ department, ☐ Human Resources

F202-2 11-1-08

NOTICE OF PERSONNEL ACTION - PERMANENT EMPLOYEES

Employee # _____

Name _____ Effective Date _____
(Last) (First) (Middle)

(Street Address) (City) (State) (Zip Code) (Home Phone)

1 ☐ New Employee (Complete sections 1,2,4) ☐ Budget Code (Complete section 1,3,4) ☐ Terminations (Complete section 1,6)
☐ Change of Status (Complete sections 1,3,4) ☐ Special Pay (Complete sections 1,3,4) ☐ Suspension (Complete section 1,7)
☐ Longevity (Complete sections 1,3,4) ☐ Name Change (Complete section 1,5) ☐ Other (Complete section 1,8)
☐ Address Change (Complete Sections 1, Heading) ☐ Military Leave and Return (Complete sections 1,4,8)

2 ☐ Former Employee Rehired ☐ New Position ☐ Replacement _____
(Name) (Position)

3 Present Status 4 Proposed Status

Date of Last Step Increase _____ Date of Next Step Increase _____
Position _____ Position _____
Department _____ Department _____
Division _____ Division _____
Budget Code _____ Payroll Location _____ Budget Code _____ Payroll Location _____
Pay Schedule _____ Grade/Step _____ Pay Schedule _____ Grade/Step _____
Hourly Wage _____ Bi-Weekly Wage _____ Hourly Wage _____ Bi-Weekly Wage _____
Longevity Pay (Bi-Weekly) _____ Longevity Pay (Bi-Weekly) _____
College Pay (Bi-Weekly) _____ College Pay (Bi-Weekly) _____
Tech Service Pay _____ Tech Service Pay _____
Fire /Part-time Only (Bi-Wkly Hours) _____ Fire /Part-time Only (Bi-Wkly Hours) _____
Other Special Pay _____ Other Special Pay _____

Status: Permanent ☐ FT ☐ PT Status: Permanent ☐ FT ☐ PT
Temporary ☐ FT ☐ PT Temporary ☐ FT ☐ PT

5 Former Name New Name (ATTACH COPY OF NEW SOC SEC CARD)
Name _____ Name _____

6 Position _____ ☐ Dismissed - attach detailed report
Dept. _____ ☐ Abandoned Job
Division _____ ☐ Resigned - attach resignation
Budget Code _____ ☐ Retirement - attach retirement resignation
Payroll Location _____ ☐ End of Temporary Assignment
Last Day of Work _____ ☐ Medical Disqualification
☐ Inactive
☐ Other
Proper Notice Given ☐ Yes ☐ No

7 Date(s) Suspended _____ Date Returned _____

Note: A Detailed Statement Must Be Attached

8 Comments: _____

Finance Department Only	
Direct Deposit	Bank CD
Pulled & Filed Direct Deposit	
< 6 mos.	Deductions
Accruals	
Finished	

Approved: _____

Department Head/Designee (Date)

Human Resources Director/Designee (Date)

Mayor/Designee (Date)

Original to: HR Copy to: Dept, Empl
Effective: 11-1-07

SUPERVISOR'S ORIENTATION CHECKLIST

EMPLOYEE'S NAME: _____

DEPARTMENT: _____ DIVISION: _____

JOB CLASSIFICATION: _____

PURPOSE: This list provides an outline to follow in acquainting a new employee with the type of work to be done, the importance of the work, the development of the proper attitude toward the job, and the rules of the department and city regarding the job.

WORK UNIT – CO-WORKERS – SPECIFIC JOB

- ☐ Explain to the employee the kind of work that is to be done and expectations. Provide copy of job description, if available.
- ☐ Using the departmental organization chart as a guide, indicate the set up and function of the department and explain the employee's position in the unit.
- ☐ Discuss promotional opportunities.
- ☐ Indicate supervisor's relationship to employee including chain of command.
- ☐ Introduce new employee to co-workers, supervisors, and other essential staff. Explain duties of each and how they want to be addressed.
- ☐ Stress any confidential aspects of job.
- ☐ Give employee a copy of departmental policies.

LAYOUT – AVAILABLE FACILITIES

- ☐ Explain layout of shop or office
- ☐ Show employee the elevators, washrooms, lunchroom, water fountains, and other facilities.
- ☐ Explain where employee may park their car and provide parking sticker.

SAFETY – ACCIDENTS – INJURIES

- ☐ Instruct the employee to report to you, immediately, any unsafe acts or conditions.
- ☐ Explain use and care of tools, equipment and supplies.
- ☐ Tell the employee to report immediately to you or the appropriate supervisor any vehicular accident incurred on the job.
- ☐ Instruct the new employee to report immediately any injury received while on the job and to whom to report such injury, as well as where the injury should be treated.

GENERAL INFORMATION

- ☐ Tell the employee the hours he/she is required to work and how to fill out the time sheet.
- ☐ Tell the employee about the department policy of notifying you early for absence or tardiness. Advise employee that the person to call would be:

_____ at _____
name phone

- ☐ Discuss the employee's obligations, such as reporting to work on time, doing efficient work, being polite with the public, etc.
- ☐ Explain the probationary period.
- ☐ Explain the method of evaluation.
- ☐ Discuss disciplinary methods used by department, such as: dismissal, demotion, and suspension.
- ☐ Explain the Absence Report and Leave Request forms.
- ☐ Discuss mileage reimbursement, if applicable.
- ☐ Discuss the Personnel Action form.
- ☐ Advise the employee to discuss problems with you first.
- ☐ Discuss with employee the residency requirement for Civil Service employees.
- ☐ Discuss seniority and how it impacts.
- ☐ Instruct employee (non-exempt) that they may not work overtime without prior authorization; discuss overtime compensation and distribution of overtime.
- ☐ Other: _____

SUPERVISOR'S NAME

DATE

The department orientation has been explained to me as described above.

EMPLOYEE'S NAME

DATE

Copies to: Employee
Department

Original to: Human Resources

City of Council Bluffs
**REQUEST TO RECEIVE MILEAGE REIMBURSEMENT
FOR USE OF A PERSONAL AUTOMOBILE**

Employee's Name _____
Job Title _____
Department _____
Division _____

COPY OF VALID DRIVERS LICENSE FROM STATE OF RESIDENCE MUST BE ATTACHED.

COPY OF PROOF OF INSURANCE MUST BE ATTACHED.

Explain why personal vehicle is needed to conduct City business:

Explain why use of pool car cannot be used instead of personal vehicle:

I have read and fully understand the City of Council Bluffs' Vehicle Usage Policy and agree to abide by it. I agree to notify the City of any change in the status of my driver's license or insurance.

Signature: _____
(Employee) (Date)

Approved: _____
(Dept. Head) (Date)

Approved: _____
(Mayor) (Date)

City of Council Bluffs
CITY BUSINESS MILEAGE LOG*

Employee Name: _____ Mo/Year _____

Job Title: _____

DATE	TIME	ORIGIN	DESTINATION	PURPOSE OF TRIP	MILES DRIVEN

Page _____ of _____

Page Subtotal:

REPORT TOTAL:

To Be Completed by Finance Department	
VENDOR #	INVOICE #

MILEAGE REIMBURSEMENT REQUEST*

Employee's Name: _____

Job Title: _____

Department: _____

Division: _____

For Month of: _____

TOTAL MILES DRIVEN DURING MONTH: _____ (mileage total from attached log form)

I HEREBY CERTIFY THAT THE ABOVE MILEAGE WAS DRIVEN IN THE PERFORMANCE OF OFFICIAL CITY BUSINESS.

(Employee Signature)_____
(Date)**REIMBURSEMENT:** _____ milesx 0.50 (current mileage rate) **AMOUNT TO REIMBURSE EMPLOYEE****BUDGET CODE:** _____ '-619930**APPROVAL:**_____
(Dept. Head Signature)_____
(Date)***City Business Mileage Log must be attached to document miles driven.**

City of Council Bluffs
REQUEST FOR A CITY VEHICLE ASSIGNMENT

Employee's Name _____
Job Title _____
Department _____
Division _____

TYPE OF VEHICLE NEEDED: (check one)

- ☐ "8-hour" Vehicle (work assignments only)
☐ "Emergency/Special Use" Vehicle (driven to, during, and from work)
☐ Other If other, please explain: _____

COPY OF VALID DRIVERS LICENSE FROM STATE OF RESIDENCE MUST BE ATTACHED.

Explain why City vehicle is needed to conduct City business:

Explain why use of a pool car or mileage reimbursement for personal car use is not appropriate or more costly:

Explain need for Emergency / Special Use Vehicle, if applicable:

I have read and fully understand the City of Council Bluffs' Vehicle Usage Policy and agree to abide by it. I agree to notify the City if I should lose my driver's license.

Signature: _____
(Employee) (Date)

Approved: _____
(Dept. Head) (Date)

Approved: _____
(Mayor) (Date)

TRAVEL & BUSINESS EXPENSE REIMBURSEMENT REQUEST

CITY OF COUNCIL BLUFFS

PAYEE NAME AND ADDRESS:

TO BE COMPLETED BY FINANCE DEPT.:	
VENDOR #	INVOICE #

PURPOSE OF TRIP:
(attach agenda)

TRAVELED WITH:
(include all other City personnel who traveled with you to function)

PREPAID? ☐ Yes ☐ No - *complete section 1 below

TYPE OF TRAVEL: ☐ AIR ☐ PERSONAL AUTO ☐ CITY AUTO ☐ N/A

SECTION 1 - TRANSPORTATION EXPENSES (attach all receipts)

DATES MM/DD/YY	TIME		TRAVELED		# MILES Round Trip	MILEAGE # Miles @ 50¢/mi.	AIRFARE / OTHER FARE
	LEFT	RETURNED	FROM	TO			
TOTAL TRANSPORTATION EXPENSE:							

SECTION 2 - LODGING EXPENSES (attach receipts). PREPAID? ☐ Yes ☐ No - *complete section 2

DATES MM/DD/YY	PLACE	# DAYS	CHARGE PER DAY	TOTAL LODGING
TOTAL LODGING EXPENSE:				

SECTION 3 - MEALS (reimbursements include tips)

ALLOWANCE	DATES MM/DD/YY	# MEALS	TOTAL EXP.
BREAKFAST \$5.00		
LUNCH \$8.00		
DINNER \$15.00		
FULL DAY \$28.00		
TOTAL MEAL EXPENSE:			

SECTION 4 - MISCELLANEOUS EXPENSE (attach receipts). MUST ITEMIZE

DATES MM/YY/DD	DESCRIPTION (Taxi, Bus, Telephone Calls, Gas receipts for City vehicles, etc.)	AMOUNT
TOTAL MISCELLANEOUS EXPENSE:		

SECTION 5 - SEMINAR / TUITION EXPENSE PREPAID? ☐ Yes ☐ No

DATES MM/YY/DD	TOPIC / COURSE (attach receipts and agenda / registration)	
TOTAL SEMINAR / TUITION EXPENSE:		

BUDGET CODE: (enter department code below):	AMOUNT:
- 623010 (travel) Sections 1-4	
- 623000 (training) Section 5	

GRAND TOTAL EXPENSES:
(TOTAL SECTIONS 1 THRU 5)

CERTIFICATION:

I certify these expenses were incurred by me and are in accordance with the Travel Policy set forth by the City of Council Bluffs. I further certify that no part of this claim has been reimbursed or paid by the City or any other agency.

APPROVAL:

_____ Department Head Signature	_____ Date	_____ Claimant Signature	_____ Date
_____ Finance Department Signature	_____ Date		

WIRELESS SERVICES COMPENSATION AGREEMENT

Note: Send original to Human Resources. Employee and Department may retain a signed copy of the agreement.

To Be Completed by Employee:

Employee Name _____
Job Title _____
Department/Division _____
Manager/Supervisor _____

City pays stipend toward employee owned cell phone plan

Please provide the personal cell phone number you will be using: _____

Employee Certification and Signature:

I certify that I have read and will abide by the City's policy on Cell Phone Compensation and Usage. Any stipend received will be applied toward business use and I will promptly report any changes in the level of business expenses to my supervisor. If I have elected to use a City owned cell phone I agree to maintain any required records and reimburse the City for any and all personal use.

X Employee Signature _____ Date _____

To Be Completed by Department Head:

MONTHLY STIPEND

CHOOSE ONE:

<input type="checkbox"/> Phone Only	\$20.00
<input type="checkbox"/> Phone/text/email	\$35.00
<input type="checkbox"/> Phone/text/email/data	\$50.00

Effective Date

Department Head Certification and Signature:

The above named employee is required to use a cell phone for business reasons and I hereby approve the stipend level requested. I will comply with the auditing and recordkeeping requirements set forth in the City's Cell Phone Compensation and Usage Policy.

X Dept. Head Signature _____ Date _____

Cell Phone Call Log

Name: _____

Please Print

Period: _____

[illegible]

REIMBURSEMENT FOR PERSONAL USE OF CITY CELL PHONE

Employee Name: _____ Department: _____

Billing Date: _____

Billing Period: _____ — _____
Start Date Ending Date

	Reconcile cell phone bill with cell phone call log				
	Total Minutes Billed	Business Minutes	Personal Minutes	Reimbursement Rate	Total Owed
Basic minutes					
Additional minutes					
Roaming					
Other:					
Employee must submit payment to Treasurer's Office within 45 days of billing date.					Total:

Employee Signature: _____

Date: _____

Dept Head/Designee
Approval: _____

Date: _____

Department should submit copy of this form to the City Treasurer's office upon approval.

ABSENCE REPORT AND LEAVE REQUEST

NAME _____

DEPARTMENT _____

JOB TITLE _____

SCHEDULED
WORK HOURS _____

FIRST WORK DAY ABSENT _____ ☐ AM
_____ ☐ PM

RETURNED TO WORK ON _____ ☐ AM
_____ ☐ PM

TOTAL NUMBER OF WORK HOURS OFF _____

CHECK REASON FOR ABSENCE BELOW. IF MORE THAN ONE TYPE OF LEAVE IS USED,
DETAIL THE HOURS AND DATE FOR EACH TYPE OF LEAVE USED.

<input type="checkbox"/>	REASON FOR ABSENCE	# HRS OFF	DATE(S)
<input type="checkbox"/>	VACATION ¹		
<input type="checkbox"/>	PERFECT ATTENDANCE DAY ¹		
<input type="checkbox"/>	CASUAL/PERSONAL DAY ¹		
<input type="checkbox"/>	ADMINISTRATIVE LEAVE ¹		
<input type="checkbox"/>	HOLIDAY		
<input type="checkbox"/>	FUNERAL ²		
<input type="checkbox"/>	JURY DUTY		
<input type="checkbox"/>	COMP TIME		

<input type="checkbox"/>	REASON FOR ABSENCE	# HRS OFF	DATES
<input type="checkbox"/>	SICK LEAVE – EMPLOYEE ILLNESS ¹		
<input type="checkbox"/>	SICK LEAVE – FAMILY ILLNESS ²		
<input type="checkbox"/>	SICK LEAVE – INJURY OFF DUTY ¹		
<input type="checkbox"/>	INJURY ON THE JOB		
<input type="checkbox"/>	SUSPENSION		
<input type="checkbox"/>	LEAVE OF ABSENCE ¹ (Approved but unpaid)		
<input type="checkbox"/>	ABSENCE WITHOUT LEAVE ³ (docked)		
<input type="checkbox"/>	OTHER ³		

1. IS ABOVE LEAVE REQUESTED OR DESIGNATED AS **FAMILY MEDICAL LEAVE**? ☐ NO ☐ YES (if yes, read below)

(A) FML Medical Certification Is Required Within 15 Days Of Beginning Date Of Leave and 30 days thereafter.

(B) You must file a "Request for Family or Medical Leave" form with the Human Resources Department.

2. IF PURPOSE OF LEAVE IS TO ATTEND TO A FAMILY MEMBER,
OR FOR A DEATH IN THE FAMILY, STATE FAMILY RELATIONSHIP: _____

3. EMPLOYEE'S EXPLANATION OF ABSENCE _____

COMPLETE QUESTIONS BELOW IF APPLICABLE, AND SIGN.

ABSENCE REPORTED BY: _____ REPORT TAKEN BY: _____

WAS DR. SEEN? ☐ NO ☐ YES: _____
(Doctor's Name and Address)

WAS EMPLOYEE HOSPITALIZED? ☐ NO ☐ YES: ☐ inpatient; ☐ outpatient

(Name of Hospital)

I HEREBY AFFIRM THE ABOVE INFORMATION IS ACCURATE AND A TRUE STATEMENT.

(Employee's Signature)

(Date)

SUPERVISOR ☐ APPROVED ☐ DISAPPROVED

(Supervisor's Signature)

(Date)

DEPT. HEAD: ☐ APPROVED ☐ DISAPPROVED

(Department Head's Signature)

(Date)

DR. CERTIFICATE: ☐ RECEIVED ☐ WAIVED

(Department Head's signature)

(Date)

Original - Finance

Copies to: ☐ Employee ☐ Department

F701-1

CITY OF COUNCIL BLUFFS DOCTOR'S CERTIFICATE FORM

Disclosure of Personal Health Information

In order for you to have your physician disclose the below medical information to the City of Council Bluffs you need to authorize the release of your private medical information in accordance with HIPAA Privacy regulations. Ask the staff at your physician's office or hospital to provide you with their form. The City will not pay any sick leave benefits for absences not properly documented on this form when the form is required*.

ATTENDING PHYSICIAN'S STATEMENT

I hereby certify that _____ was attended by me professionally at
about _____ ☐ a.m. / ☐ p.m. on the _____ day of _____, 20 _____

At the time the patient was suffering illness or disability as follows: _____

My recommendations concerning the patient's return to work are as follows:

Return to work on the _____ of _____, 20 _____

☐

Return to work in regular capacity with no restrictions.

☐

Return to work with the following restrictions:

The restrictions above (if applicable) shall continue:

☐

For _____ days.

☐

Until checked by physician in _____ ☐ days / ☐ weeks.

Date of appointment

☐

Permanently

Date

Signature of Attending Physician

Office Phone

*WHEN DOCTOR'S CERTIFICATE IS REQUIRED

This form is required when an employee is out of service for more than 2 consecutive days (or one 24-hour tour in the Fire Dept) or for an off the job injury of any duration. Employees who have used sick leave on 5 or more occasions in the last 12 month period (or 3 or more occasions in the Fire Dept.) must have this form completed for any sick leave in the next 12 month period. An additional certificate must be filed for each pay period in which the absence continues. See Attendance Policy 700:1-3, City Personnel Policies for full description.

**CITY OF COUNCIL BLUFFS
ALTERNATIVE DUTY POLICY FORM**

Instructions for use: This form is to be submitted to the Risk Manager to request concurrence in assigning an employee to an alternative duty assignment. The form shall be submitted to the Risk Manager upon the employee's release and return to regular duty. A copy of the form should be sent to Human Resources.

Employee's Name

Department

Today's Date

Date of Injury

Alternative Duty Began On: _____

Estimated Date of Return: _____

Returned to Regular Duty On: _____

Describe the alternative duty assignment(s): _____

I (Print Employee's Name) _____ understand the terms of the alternative duty assignment and shall follow the restrictions placed on me by my or the City's physician.

Employee's Signature

Date

Department Head's Signature

Date

Risk Manager's Signature

Date

LONGEVITY**Non – Union:**

At ten (10) years service	\$18.46 bi-weekly
At fourteen (14) years service	\$25.39 bi-weekly
At eighteen (18) years service	\$30.00 bi-weekly
At twenty-two (22) years service	\$34.62 bi-weekly

Fire Supervisory:

After five (5) years continuous service	\$15.00 bi-weekly
After ten (10) years continuous service	\$25.00 bi-weekly
After fourteen (14) years continuous service	\$35.00 bi-weekly
After eighteen (18) years continuous service	\$45.00 bi-weekly
After twenty-two (22) years continuous service	\$50.00 bi-weekly
After twenty-six (26) years continuous service	\$60.00 bi-weekly

Police Supervisory:

At five (5) years continuous service	\$10.00 bi-weekly
At ten (10) years continuous service	\$20.00 bi-weekly
At fourteen (14) years continuous service	\$30.00 bi-weekly
At eighteen (18) years continuous service	\$45.00 bi-weekly
At twenty-two (22) years continuous service	\$60.00 bi-weekly
At twenty-six (26) years continuous service	\$70.00 bi-weekly

CURRENT MILEAGE REIMBURSEMENT RATE

The current mileage reimbursement rate set by the Finance Department is \$0.50 per mile.

CURRENT MEAL REIMBURSEMENT AMOUNTS

The current meal reimbursement amounts allowed by the Finance Department are as follows:

Breakfast	\$ 5.00
Lunch	8.00
Dinner	15.00
Full Day	28.00